



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ - ೧೫೭ Volume - 157	ಬೆಂಗಳೂರು, ಬುಧವಾರ, ೦೭, ಡಿಸೆಂಬರ್, ೨೦೨೨(ಮಾರ್ಗಶಿರ, ೧೬, ಶಕವರ್ಷ, ೧೯೪೪) BENGALURU, WEDNESDAY, 07, DECEMBER, 2022(MARGASHIRA, 16, SHAKAVARSHA, 1944)	ಸಂಚಿಕೆ ೨೪೬ Issue 246
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ಭಾಗ ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು,
ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ
ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು
ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ
ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಶಾ ೨೭ ಕೇನಿಪ್ರ ೨೦೨೨

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: ೦೭.೧೨.೨೦೨೨.

ದಿನಾಂಕ: ೨೮.೦೬.೨೦೨೨ ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Forest (Conservation) Rules, ೨೦೨೨ರ
Notification-GSR 480(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 28th June, 2022

G.S.R. 480(E).—In exercise of the powers conferred by sub-section (1) of section 4 of the Forest (Conservation) Act, 1980 (69 of 1980) and in supersession of the Forest (Conservation) Rules, 2003, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely: -

1. Short title, extent and commencement. - (1) These rules may be called the Forest (Conservation) Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. - (1) In these rules, unless the context otherwise requires, -

- (a) "Accredited Compensatory Afforestation" means a system of proactive afforestation to be used for obtaining prior approval under section 2 of the Act.
- (b) "Act" means the Forest (Conservation) Act, 1980 (69 of 1980);
- (c) "Advisory Committee" means the Advisory Committee constituted under section 3 of the Act;
- (d) "Chairperson" means the Chairperson of the Advisory Committee;

- (e) “Compensatory Afforestation” means afforestation done in lieu of the diversion of forest land for non-forest purpose under the Act;
- (f) “Compensatory Levies” includes all money and funds specified in clauses (iii) and (iv) of sub-section (3) of section 4 of the Compensatory Afforestation Fund Act, 2016 (38 of 2016);
- (g) “Conservator of Forests” means Conservator of Forests, Chief Conservator of Forests, the Regional Chief Conservator of Forests or an officer equivalent to Conservator of Forests appointed by the State Government or Union territory Administration to hold the charge of a forest circle having jurisdiction over the forest land for which the prior approval of the Central Government is required;
- (h) “dereservation” means an order issued by the State Government or Union territory Administration or any authority thereof, for change in the legal status of a land statutorily or otherwise recognised as forest to any other category of land;
- (i) “diversion” means an order issued by the State Government or Union territory Administration or any authority thereof for the use of any forest land for non-forest purpose or assignment of a lease of any forest land for non-forest purpose;
- (j) “District Collector” means an officer appointed by the State Government or the Union territory Administration, as the case may be, and includes District Collector, Deputy Commissioner, to hold the charge of the Administration of the revenue district having jurisdiction over the forest land for which the prior approval of the Central Government under the Act is required;
- (k) “Divisional Forest Officer” means Divisional Forest Officer, Deputy Conservator of Forests or an officer equivalent to the Divisional Forest Officer or Deputy Conservator of Forests appointed by the State Government or Union territory Administration to hold the charge of a Forest Division having jurisdiction over the forest land for which the prior approval of the Central Government under the Act is required;
- (l) “Integrated Regional Office” means an Integrated Regional Office established by, and controlled under the Central Government for the purpose of these rules;
- (m) “Land bank” means the lands identified or earmarked, as the case may be, by the State Government and Union territory Administration for raising Compensatory Afforestation in lieu of forest land proposed for diversion or diverted under the Act;
- (n) “Linear project” means project involving linear diversion of forest land for the purposes such as roads, pipelines, railways, transmission lines, etc.;
- (o) “Member” means a Member of the Advisory Committee and includes the Chairperson;
- (p) “member” means a member of the Regional Empowered Committee or Project Screening Committee and includes the chairperson of the Regional Empowered Committee or Project Screening Committee, as the case may be;
- (q) “National Working Plan Code” means a code prepared by the Central Government for the preparation of Working Plans;
- (r) “Nodal Officer” means any officer not below the rank of Additional Principal Chief Conservator of Forests, authorised by the State Government or Union territory Administration, as the case may be, or the senior most officer in the Forest Department of the concerned Union territory, if there is no post of Additional Principal Chief Conservator of Forests or above in the Department, for the purpose of implementation of Act and rules thereof and to deal with and to make correspondence with the Central Government, in the matter of forest conservation;
- (s) “Project Screening Committee” means the Project Screening Committee constituted under rule 8 to screen project proposals for use of forest land for the non-forest purpose for making recommendations to the State Government or Union territory Administration, as the case may be;
- (t) “Regional Empowered Committee” means the Regional Empowered Committee constituted under sub-rule (1) of rule 6;
- (u) “Regional Officer” means head of the Integrated Regional Office appointed by the Central Government;
- (v) “section” means a section of the Act;
- (w) “Survey” means any activity to be taken up prior to initiating commissioning of a project or any activity undertaken for the purpose of exploring, locating or proving mineral deposits including coal, petroleum and natural gas before carrying out actual mining in the forest land, that includes survey, investigation, prospecting, exploration, including drilling therefor, etc.;

- (x) “user agency” means any person, organisation or legal entity or company or Department of the Central Government or State Government or Union territory Administration making a request for dereservation, diversion or assignment of lease of forest land under the provisions of the Act or the rules made thereunder;
- (y) “Working Plan” means the document prepared as per the provisions of the National Working Plan Code published by the Central Government from time to time and having prescriptions for scientific management of the forests of a particular Forest Division for a specified period;

(2) Words and expressions used herein and not defined in these rules but defined in the Act shall have the same meaning as respectively assigned to them in the Act.

3. Constitution of Advisory Committee. - (1) The Central Government may, by an Order, constitute an Advisory Committee to advise with regards to (i) grant of approval under section 2 in respect of proposals referred under sub-clause (b) of clause 5 of rule 9; and (ii) any matter connected with the conservation of forests referred to the Advisory Committee by the Central Government.

(2) The Advisory Committee shall consist of the following persons, namely: -

(1)	(2)	(3)
1.	Director General of Forests, Ministry of Environment, Forest and Climate Change	Chairperson;
2.	Additional Director General of Forests (Forest Conservation), Ministry of Environment, Forest and Climate Change	Member;
3.	Additional Director General of Forests (Wildlife), Ministry of Environment, Forest and Climate Change	Member;
4.	Additional Commissioner (Soil Conservation), Ministry of Agriculture and Farmers' Welfare	Member;
5.	Three experts to be nominated by the Central Government representing one each from the fields of ecology, engineering and development economics	Non-official Members;
6.	Inspector General of Forests dealing with Forest Conservation	Member-Secretary.

(3) The Chairperson may co-opt the domain experts as special invitees to a meeting of the Advisory Committee.

(4) The Chairperson shall preside over the meeting of the Advisory Committee and in his absence, the Additional Director General of Forests (Forest Conservation), Ministry of Environment, Forest and Climate Change shall preside over the meeting.

4. Terms and conditions of non-official Members of the Advisory Committee. – The terms and conditions of the non-official Members of the Advisory Committee shall be as follows, namely:-

- (a) a non-official Member shall hold his office for a period of two years from the date of his nomination;
- (b) a non-official Member shall cease to hold office if he becomes of unsound mind, or insolvent or is convicted for an offence which involves moral turpitude;
- (c) a non-official Member may be removed from his office if he fails to attend three consecutive meetings of the Advisory Committee without any sufficient cause or reason;
- (d) any vacancy caused by any reason mentioned in clauses (b) and (c) shall be filled by the Central Government for the remaining term of two years; and
- (e) the non-official Members of the Advisory Committee shall be entitled to a travelling allowance and daily allowance as are admissible to an officer of the Government of India holding Group ‘A’ post carrying the same scale of pay:

Provided that the payment of travelling allowance and daily allowance to a member who is a Member of the Parliament or a Member of a State Legislature shall be regulated in accordance with the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954) or the respective provisions of law pertaining to the member of the concerned State Legislature, as the case may be.

5. Conduct of business of the Advisory Committee.- The Advisory Committee shall conduct its business as follows, namely:-

- (a) the Chairperson shall call the meeting of the Committee whenever considered necessary, but not less than once a month;
- (b) the meeting of the Committee shall ordinarily be held at New Delhi provided that in a case where the Chairperson is satisfied that inspection of site of forest land proposed to be used for non-forest purposes shall be necessary or expedient in connection with the consideration of the proposal referred to the Committee, he may direct that the meeting of the Committee to be held at a place other than New Delhi from where such inspection of site is required;
- (c) every question upon which the Central Government is required to be advised shall be considered in the meeting of the Committee, provided that in urgent cases, the Chairperson may direct those documents may be circulated and sent to the members for their opinion within the stipulated time;
- (d) the quorum of the meeting of the Committee shall be five including the Chairperson; and
- (e) the user agency may be allowed to remain present in the meeting of the Advisory Committee for such duration as may be necessary to furnish such information or clarify any issue which may pertain to it.

6. Constitution of Regional Empowered Committee. - (1) The Central Government may, by an Order, constitute a Regional Empowered Committee at each of the Integrated Regional Offices to examine proposals referred to under sub-clause (a) of clause 5 of rule 9 and grant approval or rejection of proposals under section 2.

(2) The Regional Empowered Committee at each of the Integrated Regional Offices shall consist of the following persons, namely: -

(1)	(2)	(3)
1.	Regional Officer	chairperson;
2.	Three non-official members from amongst eminent persons who are experts in the field of forestry and allied disciplines	non-official members;
3.	The senior-most officer amongst officers of the rank of Conservator of Forests and Deputy Conservator of Forests in the Integrated Regional Office	member - secretary.

(3) The chairperson of the Regional Empowered Committee may co-opt the domain experts as special invitees to the meeting.

(4) One representative each from the Forest Department and Revenue Department not below the rank of Director to the Government of India, shall be invited by the Regional Empowered Committee to attend the meeting as a special invitee, in the examination of the proposals.

(5) Terms and conditions of non-official members of the Regional Empowered Committee shall be as follows: -

- (a) a non-official member shall hold his office for a period of two years from the date of his nomination;
- (d) a non-official member shall cease to hold office if he becomes of unsound mind, insolvent, or is convicted for an offence involving moral turpitude;
- (c) a non-official member may be removed from his office if he fails to attend three consecutive meetings of the Committee without any sufficient cause or reason;
- (d) any vacancy in the Regional Empowered Committee caused by any reason mentioned in sub-clauses (b) and (c) shall be filled by the Central Government for the remaining term of two years; and
- (e) the non-official members of the Regional Empowered Committee shall be entitled to a travelling allowance and daily allowance as are admissible to an officer of the Government of India holding Group 'A' post carrying the same scale of pay:

Provided that the payment of travelling allowance and daily allowance to a member who is a Member of the Parliament or a Member of a State Legislature shall be regulated in accordance with the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954) or the respective provisions of law pertaining to the member of the concerned State Legislature, as the case may be.

7. Conduct of Business of Regional Empowered Committee. - The Advisory Committee shall conduct its business as follows, namely:-

- (a) the chairperson of the Regional Empowered Committee shall hold the meeting whenever considered necessary, but not less than twice a month;
- (b) the meetings of the Regional Empowered Committee shall be held at the headquarters of the Integrated Regional Office:

Provided that where the chairperson of the Regional Empowered Committee is satisfied that inspection of site of forest land proposed to be used for non-forest purposes shall be necessary or expedient in connection with the consideration of the proposal referred, he may direct that the meetings of the Regional Empowered Committee be held at a place other than headquarters of the Integrated Regional Office for such inspection of site;

- (c) the chairperson of the Regional Empowered Committee shall preside over every meeting of the Regional Empowered Committee and in his absence, the senior-most member not below the rank of the Conservator of Forests shall act as the chairperson;
- (d) every proposal referred to the Regional Empowered Committee for advice or decision shall be considered in the meeting of the Regional Empowered Committee:

Provided that in urgent case, the chairperson of the Regional Empowered Committee may direct that documents may be circulated and sent to the members of the Regional Empowered Committee for their opinion within the stipulated time;

- (e) the quorum of the meeting of the Regional Empowered Committee shall be three; and
- (f) the user agency may be allowed to remain present for such duration during a meeting as may be necessary to furnish such information or clarify any issue which may pertain to it.

8. Constitution of Project Screening Committee. - (1) The State Government and Union territory Administration may, by an Order, constitute a Project Screening Committee to examine the completeness of the proposal submitted under clauses (i), (ii) or (iii) of section 2 of the Act.

(2) The Project Screening Committee shall consist of the following persons, namely:-

(1)	(2)	(3)
1.	Nodal Officer	chairperson;
2.	Concerned Chief Conservator of Forests/ Conservator of Forests	member;
3.	Concerned Divisional Forest Officer	member;
4.	Concerned District Collector or his representative (Not below the rank of Deputy Collector)	member;
5.	Divisional Forest Officer in the office of Nodal Officer	member -secretary.

(3) The Project Screening Committee shall meet at least twice every month and the quorum of the meeting of the Project Screening Committee shall be three.

(4) The Project Screening Committee shall, after examination of the proposals, make recommendation to the State Government or Union territory Administration, as the case may be.

9. Proposals for Prior Approval of the Central Government.- (1) The approval shall be accorded by the Central Government in two stages, namely (i) 'In- Principle' approval; and (ii) 'Final' approval.

(2) The user agency shall make an application to the State Government or Union territory Administration for approval of the Central Government under section 2 of the Act for dereservation of forest land, use of forest land for non-forest purposes or for assignment of lease, in the specified online Forms, to be notified by the Central Government.

(3) The copy of the proposal shall be simultaneously forwarded to the concerned Divisional Forest Officers, District Collectors, Conservator of Forests, Chief Conservator of Forests and the Nodal Officer of the State Government or Union territory Administration each of whom shall independently and separately undertake preliminary examination of the completeness of documentation of the proposal for the purpose of examination by the Project Screening Committee.

- (4) (a) the Project Screening Committee shall examine the proposal received from the State Government or Union territory Administration, except proposals involving forest land of five hectares or less, without going into the merit of the proposal, that the proposal is complete in all respects and the proposed activity is not in any restricted area or category for the purpose of screening and ascertaining, and the Project Screening Committee may call the user agency for clarification or additional documents, if any, during the meeting and the minutes of the meeting shall be uploaded online;

- (b) the Project Screening Committee shall examine the proposal for its completeness and correctness and ensure that deficiencies in the proposal, if any, are identified and the member-secretary shall inform in this regard to the user agency;
- (c) the user agency shall re-submit the proposal, if returned under clause (b), and the same shall be re-examined by the Project Screening Committee; an incomplete proposal so re-submitted under this sub-clause shall stand deregistered;
- (d) a Proposal Identity Number shall be generated for a proposal which is found complete in all respects by the Project Screening Committee and the Identity Number shall be used for all future references;
- (e) the complete proposal with the proposal Identity Number shall be forwarded to the concerned Divisional Forest Officers, District Collectors, Conservator of Forests or Chief Conservator of Forests for field verification;
- (f) where the forest land or part thereof included in the proposal is not under the management control of the Forest Department, the District Collector shall get the land schedule and map of the forest land included in the proposal authenticated in the online form through joint verification by officers of Revenue Department and Forest Department;
- (g) in addition to, every proposal verified in the field by the concerned Divisional Forest Officer, field inspection shall be simultaneously undertaken for every proposal that involves more than forty hectares of forest land by the concerned Conservator of Forests and for every proposal that involves more than hundred hectares of forest land by the Nodal Officer if the proposal;
- (h) the proposal, except proposals involving forest land of five hectares or less, shall come up for consideration of the Project Screening Committee within the period specified in Schedule II, annexed to these rules, from submission of the completed proposal under clause (c) or clause (e), as the case may be, and the Project Screening Committee shall examine the feasibility of the proposal for the purpose of recommending it to the State Government or Union territory Administration along with mitigation measures to be adopted by the user agency:

Provided that the Project Screening Committee may seek from the user agency any clarification, additional detail or modification of the proposal in terms of change in forest land proposed for diversion on account of reasons such as minimising the requirement of forest land or minimising adverse impact on forest and wildlife, change in Compensatory Afforestation land proposed or change in measures proposed to be adopted by the user agency to mitigate the adverse impact of the project, and for this purpose it may ask the user agency to make a presentation:

Provided further that the proposal shall be considered after submission of the clarification or additional detail provided by the user agency online, and in case the proposal has been modified in terms of the first proviso, within the time period specified in this clause after repeating the steps in clauses (b) to (f) as applicable and in case new forest land has been proposed for diversion in the modified proposal, the steps in clause (g) shall also be repeated.

- (i) Where the user agency fails to submit correct information, additional detail or a modified proposal within the period as specified, the proposal shall stand rejected:

Provided that if the user agency satisfies the Project Screening Committee that the reason for the delay was beyond its control, the Project Screening Committee may reconsider the proposal, after the reasons to be recorded in writing and recommend it to the State Government or Union territory Administration, as the case may be;

- (j) proposal involving forest land of less than five hectares, shall after examination at the level of Divisional Forest Officer be forwarded by him directly to the Nodal Officer and the Nodal Officer shall forward such proposals to the State Government or Union territory Administration along with his recommendations and a copy of the same shall also be forwarded to the Integrated Regional Office;
- (k) proposal involving forest land of five hectares or more, shall be forwarded by the Nodal Officer, with the approval of the Principal Chief Conservator of Forests, to the State Government or Union territory Administration, along with the Project Screening Committee's recommendation and a copy of the same shall be forwarded to the Integrated Regional Office;
- (l) where the State Government or Union territory Administration, as the case may be, decides not to dereserve, divert for non-forest purposes or assign on lease the forest land as indicated in the proposal, the same shall be intimated to the user agency by the Nodal Officer; and
- (m) where the State Government or Union territory Administration agrees 'In-Principle' to dereserve the forest land, divert for non-forest purposes or assign on lease the forest land as indicated in the proposal shall forward its recommendation to the Central Government.

(5) 'In-Principle' approval of the proposal: -

- (a) Except the proposals related to: (i) dereservation (ii) mining involving forest land of more than 5 hectares (iii) regularisation of encroachment and (iv) violation of the provisions of the Act, all other proposals related to: (i) linear projects, (ii) forest land up to forty hectares and (iii) use of forest land having canopy density up to 0.7 irrespective of their extent for the purpose of survey, shall be examined in the Integrated Regional Office and disposed off in the manner specified in clause (c);

Provided that, no approval is required for assignment of Petroleum Exploration licence or Petroleum Mining Lease where neither physical possession nor breaking of forest land is involved, however, for all activities such as the establishment of exploration or developmental wells and connected activities on the forest land, approval under clause (ii) of section 2 of the Act shall be obtained for the actual impact area as per the procedure specified under these rules, subject to provisions of guidelines issued by the Central Government.

- (b) all proposals other than those referred to in sub-clause (a) above shall be examined and shall be disposed of in the manner specified under these rules;
- (c) proposals received under sub-clause (a) shall be examined by the Integrated Regional Office in the following manner:-
 - (i) all proposals involving forest land up to five hectares, shall be examined by the Integrated Regional Office for its completeness and after enquiry as deemed necessary and giving due regard to the aspects listed under sub-clause (ii) of clause (e), 'In-Principle' may be granted by the Integrated Regional Office or may be rejected after the reasons to be recorded in writing;
 - (ii) all linear proposals involving forest land of more than five hectares, all proposals for use of forest land having canopy density upto 0.7 for the purpose of 'survey' irrespective of their extent and all other proposals involving the use of more than five hectares and up to forty hectares forest land, shall be referred, after examination of its completeness, by the Integrated Regional Office to the Regional Empowered Committee constituted under rule 6;
 - (iii) the Regional Empowered Committee shall examine all proposals referred to it under sub-clause (a) above and after further enquiry as deemed necessary and giving due regard to the aspects listed under sub-clause (ii) of clause (e), may grant 'In-Principle' or reject the same by recording reasons;
- (d) site inspection report shall be prepared for proposals specified in sub-clause (b) by the Integrated Regional Office and the same shall be submitted to the Central Government for consideration by the Advisory Committee;
- (e) proposals received by the Central Government shall be examined in the following manner:-
 - (i) all proposals received under clause (b) along with the site inspection report as required under clause (d), shall be referred, after examination of its completeness, to the Committee;
 - (ii) the Advisory Committee shall examine, all proposals referred to it in clause (b), giving due regards, but not limited to, the following, and after further enquiry, as deemed necessary, shall make recommendation to the Central Government for consideration for approval:-
 - (A) the proposed use of the forest land is not for any non-site specific purpose such as agricultural purpose, office or residential purpose or for the rehabilitation of persons displaced for any reason;
 - (B) the State Government or the Union territory Administration, as the case may be, has certified that it has considered all alternatives and that no other alternative in the circumstances is feasible and that the required area is the minimum needed;
 - (C) the State Government or the Union territory Administration, as the case may be, before making his recommendation, has considered all issues having direct and indirect impacts on the diversion of forest land on the forest, wildlife and the environment;
 - (D) concerned mandates under the National Forest Policy;
 - (E) whether adequate justification has been given and appropriate mitigation measures have been proposed by the State Government or the Union territory Administration, as the case may be, if the forest land proposed to be used for non-forest purposes forms part of a national park, wildlife sanctuary, tiger reserve, designated or identified tiger or wildlife corridor, or habitat of any endangered or threatened species of flora and fauna or of an area lying in the severely eroded catchment; and

- (F) the State Government or the Union territory Administration, as the case may be, undertakes to provide at its cost or at the cost of the user agency the requisite extent of appropriate land as per sub-rule (1) of rule 11 and afforestation thereof, for the purpose of carrying out Compensatory Afforestation;
- (iii) while making recommendations as per sub-clause (ii), the Committee may also impose conditions or restrictions and such mitigation measures, which in its opinion would offset the adverse environmental impact;
- (iv) the Central Government shall, after considering the recommendation of the Advisory Committee, grant 'In-Principle' approval subject to fulfilment of stipulated conditions or reject and communicate the same to the concerned State Government or the Union territory Administration, as the case may be, and to the user agency;
- (f) (i) in case the proposal is found incomplete or information provided is found to be incorrect after its examination, the Central Government shall inform the State Government or Union territory Administration and user agency for furnishing the required information within a specified period;
- (ii) the State Government or Union territory Administration on receipt of communication under sub-clause (i), may furnish the complete information, after which the proposal shall be considered for 'In-Principle' approval under these rules:

Provided, if the information sought pertains to the user agency, the user agency may directly furnish the requisite information to the Central Government with a copy to the State Government or Union territory Administration, and upon receipt of such information from the user agency, the Central Government, if it considers necessary, may seek comments of the concerned State Government or Union territory Administration, as the case may be, on the information furnished by the user agency or consider granting 'In-Principle' approval.

(6) 'Final' approval of the proposal:-

- (a) (i) the Nodal Officer may, after receipt of the 'In-Principle' approval from the Central Government, communicate the same to the concerned Divisional Forest Officers, District Collectors and Conservator of Forests;
- (ii) on receipt of a copy of the 'In-Principle' approval, the Divisional Forest Officer shall prepare a demand note containing the item-wise amount of Compensatory Levies, as applicable, to be paid by the user agency and communicate the same to the user agency, along with a list of documents, certificates and undertakings required to be submitted by them in compliance with the conditions stipulated in 'In-Principle' approval;
- (iii) the user agency shall, after receipt of the communication, make payment of Compensatory Levies and hand over the land identified for Compensatory Afforestation, a compliance report along with copies of documentary evidence including undertaking and certificate in respect of the payment of Compensatory Levies and handing over of Compensatory Afforestation land to the Divisional Forest Officer;
- (iv) the Divisional Forest Officer, after having received the compliance report and satisfied with the completeness, shall recommend the compliance report for final approval and forward it to the Conservator of Forests;
- (v) the Conservator of Forests, after having received the compliance report as referred to in sub-clause (iv) above, shall make his recommendations on the compliance report and forward the same to the Nodal Officer;
- (vi) the Nodal Officer, after having received the compliance report, ensuring its completeness and obtaining approval of the Principal Chief Conservator of Forests of the State Government or head of the Department in case of Union territory Administration, shall forward such report with his recommendations to the State Government or Union territory Administration, as the case may be.
- (b) (i) the Central Government after having received the compliance report and ensuring its completeness may accord 'Final' approval under section 2 of the Act and communicate such decision to the State Government or Union territory Administration and the user agency;
- (ii) The State Government or Union territory Administration, as the case may be, after receiving the 'Final' approval of the Central Government under Section 2 of the Act, and after fulfilment and compliance of the provisions of all other Acts and rules made thereunder, as applicable including ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007), shall issue order for diversion, assignment of lease or dereservation, as the case may be.

- (c) (i) the final order of dereservation under clause (i) of Section 2 of the Act, wherever accorded, shall be effected through a Gazette notification by the State Government or Union territory Administration, as the case may be, informing dereservation of the forest land;
- (ii) the whole process of obtaining approval shall be carried out in the online portal developed for this purpose.
- (d) (i) where compliance of condition imposed in the 'In-principle' approval is awaited from the State Government or Union territory Administration, as the case may be, for more than two years, the 'In-Principle' approval shall be deemed to be null and void:

Provided the Central Government may, for the reasons to be recorded in writing, in respect of proposals involving forest land of more than thousand hectares, where 'In-Principle' approval has been obtained, may consider grant of phase-wise 'Final' approval by the competent authority subject to compliance in respect of:

- (1) payment of Compensatory Levies and notification of land identified and accepted for raising Compensatory Afforestation, proportional to the part area for which compliance is submitted; and
- (2) any other specific condition that the Central Government may deem fit to have been complied with.
- (e) after issue of final approval under sub- clause (ii) of clause (b) and Gazette notification under sub-clause (i) of clause (c), the concerned forest land may be handed over or assigned, as the case may be, to the user agency by the State Government or Union territory Administration;
- (f) the concerned Integrated Regional Office shall monitor the compliance of all conditions imposed at the time of granting 'In-Principle' approval and the State Government or Union territory Administration and the user agency shall also monitor, at least once every year, the compliance of conditions imposed during 'In-Principle' approval and upload the monitoring report in the online portal.

10. Proposal seeking prior approval of the Central Government for working plan.- (1) (a) The Nodal Officer of the State Government or Union territory Administration shall submit the draft Working Plan of a Forest Division, duly prepared in accordance with the provisions of the National Working Plan Code, along with the recommendation of the State Consultative Committee, in the online portal for prior approval of the Central Government;

- (b) the draft Working Plan shall include, *inter alia*, details of forest land diverted, corresponding Compensatory Afforestation lands and status of afforestation thereon;
- (c) the draft Working Plan submitted to the Central Government shall be examined by the concerned Integrated Regional Office for its conformity with National Working Plan Code, the National Forest Policy, 1988 and the Integrated Regional Office may accord prior approval to the draft Working Plan along with conditions or without conditions or accord 'In-Principle' approval along with modification of the provision contained in the draft Working Plan and for a period as it deems fit, or reject the same by recording the reasons therefor;
- (d) the State Government or Union territory Administration or its designated officer shall carry out the prescriptions of the Working Plan to which the 'In-Principle' approval has been accorded by the Integrated Regional Office with respect to all or specific provision of the Working Plan and for the period for which the Working Plan has been approved;
- (e) the State Government or Union territory Administration shall undertake a mid-term review of the approved Working Plan and submit the review report along with its recommendation to the Integrated Regional Office and the Integrated Regional Office may, after examination, modify the condition of 'In-Principle' approval or issue a fresh prior approval by modifying the provision of the previously approved Working Plan for the remaining period or reject the recommendations of mid-term review by recording reasons therefor; and
- (f) the Integrated Regional Office may also consider and approve eligible Annual Working Schemes, in case submitted by the State Government or Union territory Administration.

(2) (a) all proposals under clause (iv) of section 2, irrespective of the size of forest land involved, shall be submitted online by the State Government or Union territory Administration to the concerned Integrated Regional Office;

- (b) proposals received under clause (a) of sub-rule (1) shall be examined by the Integrated Regional Office and may grant 'In-Principle' approval after enquiry or reject the same by recording the reasons thereof;

- (c) proposals involving whole or part of forest land bearing a canopy density of 0.4 or more or proposals involving clear-felling of forest land of size more than twenty hectares in plains and ten hectares in hills irrespective of canopy density, shall be forwarded to the Regional Empowered Committee and the Regional Empowered Committee shall deal in the manner specified under these rules and while examining the proposal, the Integrated Regional Office shall ensure that the final decision is in conformity with the National Forest Policy, 1988, and the National Working Plan Code;

Explanation.- For the purpose of these rules “clear-felling of forest land” means removal of all natural vegetation in whatever form occurring, by felling, uprooting or burning them and removing them from the forest land over one hectare in size or more, but other types of felling of trees of specified size or species, including their selection felling or coppice felling shall not be considered as clear felling.

11. Creation of Compensatory Afforestation.- (1) (a) An user agency shall provide land which is neither notified as forest under the Indian Forest Act, 1927 (16 of 1927) or any other law nor managed as forest by the Forest Department and it shall also bear the cost of raising Compensatory Afforestation over such land and the requirement of Compensatory Afforestation land shall be as per the Schedule I annexed to these rules:

Provided that in case the non-forest land or portion thereof provided by the user agency is not fit for raising Compensatory Afforestation of a specified density, then additional Compensatory Afforestation shall be raised on a degraded notified or unclassified forest land under the management control of the Forest Department which is twice in size of such shortfall in the given Compensatory Afforestation land and the user agency shall also bear the additional cost on such account:

Provided further that if the non-forest land being made available for Compensatory Afforestation already bears vegetation of 0.4 canopy density or more, there shall not be an additional requirement of planting of trees on such land but a programme for improvement of the forest crop shall be implemented by the Forest Department in a time-bound manner:

Provided further that in exceptional circumstances when the suitable land required for Compensatory Afforestation under this clause is not available and the certificate to this effect is given by the State Government or Union territory Administration, as the case may be, the Compensatory Afforestation may be considered on degraded forest land which is twice in extent to the area proposed to be diverted in case of Central Government agencies or Central Public Sector Undertakings on case to case basis:

Provided further that in exceptional circumstances when the suitable land required for Compensatory Afforestation under this clause is not available, and the certificate to this effect is given by the State Government or Union territory Administration, as the case may be, the Compensatory Afforestation may be considered on degraded forest land which is twice in extent to the area proposed to be diverted in case of State Public Sector Undertakings for captive coal blocks on case to case basis:

Provided further that in case the user agency acquires any non-forest land for the execution of the project, the exceptions in case of Central Government agencies, Central Public Sector Undertakings and State Public Sector Undertakings as above shall not be applicable.

Explanation.- The specified density for raising Compensatory Afforestation under this clause shall be such as to develop, a forest of a minimum canopy density of 0.4 or more in the fifth year of start of Compensatory Afforestation operation, and the area has sufficient vegetation stock to enable it to mature into land with canopy density of minimum 0.7;

- (b) The land specified under clause (a), shall be demarcated by concrete pillars of suitable size and handed over, free from all encumbrances to the State Forest Department or Union territory Forest Department and the same shall be notified as protected forest under Section 29 of Indian Forest Act, 1927 (Act No. 16 of 1927) or under any other law for the time being in force before the Final approval is granted under the Act;
- (c) The land identified and earmarked for Compensatory Afforestation shall be treated and afforested by the State Government or Union territory Administration or user agency as per the Compensatory Afforestation plan approved as part of the said forest diversion proposal and the work of Compensatory Afforestation shall start within one year of issue of order of diversion of the corresponding forest land and the Central Government may issue guidelines on the modalities of Compensatory Afforestation, including agencies that may undertake Compensatory Afforestation;
- (d) Subject to the consent of concerned State Governments or Union territory Administrations, in case the forest land to be diverted is in a hilly or mountainous State or Union territory having forest cover of more than two-third of its geographical area or situated in any other State or Union territory having forest cover of more than one-third of its geographical area, the Compensatory Afforestation under this sub-rule may be taken up in another State or Union territory, having forest cover less than twenty per cent of its total

geographical area. Similarly, the Accredited Compensatory Afforestation or Land bank may be taken up in another State or Union territory:

Provided that, the money towards Compensatory Afforestation in such cases shall be transferred to the State Compensatory Afforestation Fund of the State or Union territory in which the Compensatory Afforestation land has been identified and the remaining money of the Compensatory Levies shall be deposited in the Compensatory Afforestation Fund Management and Planning Authority Fund of the State Government or Union territory Administration in which the forest land has been proposed to be diverted.

(2) (a) A State Government or Union territory Administration as the case may be, may for the purpose of Compensatory Afforestation create a Land bank under the administrative control of the Department of Forest;

(b) The minimum size of the Land bank shall be a single block of twenty five hectares:

Provided that in case a Land bank is in continuity of a land declared or notified as forest under the Indian Forest Act, 1927 (16 of 1927) or under any other law for time being in force, Protected Area, Tiger Reserve or within a designated or identified tiger or wildlife corridor, there shall be no restriction on size of the land;

(c) The lands covered under Accredited Compensatory Afforestation earned under sub-rule (3) may be included in the Land bank.

(3) (a) The Central Government may formulate an Accredited Compensatory Afforestation mechanism to be used for obtaining prior approval under section 2;

(b) Accredited Compensatory Afforestation may be earned by a person if he has established afforestation over land on which the Act is not applicable and is free from all encumbrances;

(c) an afforestation shall be counted towards Accredited Compensatory Afforestation if such land has vegetation composed predominantly of trees having canopy density of 0.4 or more and the trees are at least five years old;

(d) Accredited Compensatory Afforestation shall be earned by developing afforestation of one-hectare area with 0.4 or more canopy density, but there shall be no Accredited Compensatory Afforestation for developing an area below 0.4 canopy density or below one-hectare land;

(e) Accredited Compensatory Afforestation may be swapped for Compensatory Afforestation proposed under sub-rule (1):

Provided the Accredited Compensatory Afforestation cover a block of minimum of ten hectares and has been fenced as per norms specified for Compensatory Afforestation in that area:

Provided further that Accredited Compensatory Afforestation over land of any size situated in the continuity of land declared or notified as forest under any law, Protected Area, Tiger Reserve or within a designated or identified tiger or wildlife corridor, may be swapped for Compensatory Afforestation.

(f) Accredited Compensatory Afforestation earned out of vacation of non-forest lands on account of voluntary relocation of a village from a National Park, Wildlife Sanctuary or Tiger Reserve and designated or identified tiger or wildlife corridors shall qualify for Compensatory Afforestation as per Schedule –I annexed to these rules, and this provision may also be used by a user agency in lieu of Compensatory Afforestation under sub-rule (1);

(g) Accredited Compensatory Afforestation identified under this rule shall be demarcated with concrete pillars of suitable size and handed over, free from all encumbrances to Forest Department of the State Government or Union territory Administration and the same shall be notified as Protected Forest under section 29 of Indian Forest Act, 1927 or under the provision of any other law for the time being in force before the Final approval is granted under the Act;

(h) The Central Government may issue detailed guidelines on creation of Accredited Compensatory Afforestation, its stock registry and management for the purpose of its swap for Compensatory Afforestation land and cost of maintenance thereof up to a period specified by the Central Government.

12. General Instructions.-

(1) Felling of trees on forest lands approved for use for the non-forest purpose under these rules shall be restricted to a bare minimum and to an unavoidable number and shall be done under the supervision of the local Forest Department and the forest produce obtained therefrom shall be handed over to the local Forest Department for disposal in the manner specified by the State Government or Union territory Administration which shall give preference to distribution to local villagers for meeting their domestic bonafide requirement.

- (2) Forest land diverted for non-forest purpose under these rules shall be appropriately surveyed jointly by the user agency and the Forest Department or the land-owning Department, demarcated on the ground by way of appropriate permanent boundary marks at the cost of the user agency and handed over by the Forest Department or land-owning Department to the user agency prior to starting of any non-forest use.
- (3) For the purpose of forest cover under these rules, the figures and description used in the latest India State of Forest Report published by Forest Survey of India shall be referred.
- (4) The Central Government may cancel approval accorded in respect of a proposal, with or without the request of the State Government Union territory Administration and may decide to refund the Compensatory Levies deposited, on case to case basis.
- (5) The conditions imposed by Central Government for diversion of forest land for the non-forest purpose shall not be changed or modified after a period of two years from the date of grant of final approval unless some exceptional circumstances arise or the Central Government considers it necessary to impose any additional clause of compliance.

SCHEDULE I

[See rule 11 (1) and rule 11 (3)]

Provisions for the requirement of land related to Compensatory Afforestation

Sl. No.	Description of Compensatory Afforestation Land	Size of Compensatory Afforestation land as compared to forest land to be diverted for non-forest purpose
(1)	(2)	(3)
1.	Land to which provisions of the Act are not applicable.	Equivalent.
2.	Land recorded as 'forest' in Government record but does not fulfill all of the following conditions:- (a) notified as forest under any other law for the time being in force (b) managed as forest by Forest Department. <i>(This dispensation is allowed to proposals of Central Government and State Government or Union territory Administration only.)</i>	Two times.
3.	Degraded notified or unclassified forest land. <i>(This dispensation is in case of State Public Sector Undertakings for captive coal blocks on case to case basis and Central Government Agencies/Central Public Sector Undertakings on case to case basis)</i>	Two times
4.	Land, qualifying for Compensatory Afforestation under Sl. No. (1), provided is of size of twenty-five hectares or more in one block. Compensatory Afforestation land of less than ten hectares shall not be accepted unless the requirement of Compensatory Afforestation land is less than ten hectares in which case the user agency has to bear the additional cost of protection of Compensatory Afforestation so raised for a period of twenty years from the date of planting.	Five <i>per cent.</i> less for every additional block size of ten hectares or part thereof subject to a maximum of twenty-five per cent rebate.
5.	Land, qualifying for Compensatory Afforestation under Sl. No. (1), that is less than 25 hectares size but more than 10 hectares size in one block. If the requirement of Compensatory Afforestation land is less than twenty-five hectares but more than ten hectares in size, the provision of excess land for Compensatory	Five <i>per cent.</i> more for every five hectares smaller block size or part thereof.

	Afforestation shall not be applicable but the user agency has to bear the additional cost of protection of Compensatory Afforestation so raised for a period of twenty years from the date of planting.	
6.	Land qualifying for Compensatory Afforestation under Sl. No. (1) above and is located within the notified boundary of a protected area	Twenty-five <i>per cent.</i> less
7.	Land qualifying for Compensatory Afforestation under Serial No. (1) or (2) and is located in continuity of a notified boundary of a National Park or a Wildlife Sanctuary or area linking one protected area or tiger reserve with another protected area and designated or identified tiger or wildlife corridors.	Fifteen <i>per cent.</i> less.
8.	Land qualifying for Compensatory Afforestation under Sl. No. (1) or (2) and is located adjacent to a forest land notified as forest under Indian Forest Act, 1927 (16 of 1927) or any other law. Accredited Compensatory Afforestation land of any size may be accepted in case it is contiguous to a forest land notified under any law.	Ten <i>per cent.</i> less
9.	Compensatory Afforestation land made available from complete and voluntary relocation of a village/ habitation (situated in non-forest land) from a Wildlife Sanctuary, National Park or Tiger Reserve, to a non-forest land outside such Sanctuary, Park or Reserve or area linking protected area or tiger reserve with another protected area and designated or identified tiger or wildlife corridors, as the case may be.	<p>(a) Exemption from payment of Net Present Value of forest land equivalent to the Compensatory Afforestation land by way of vacation of village or habitation from National Park/Wildlife Sanctuary/ Tiger Reserve.</p> <p>Note: “Net Present Value” shall have the same meaning as assigned in clause (j) of section 2 of the Compensatory Afforestation Fund Act, 2016 (38 of 2016).</p> <p>(b) Accredited Compensatory Afforestation in the ratio of 1:1.25 (Non-forest land: Accredited Compensatory Afforestation earned) so vacated by a village by way of voluntary relocation (<i>provided that the same shall be notified as part of the Wildlife Sanctuary, National Park or Tiger Reserve and also notified as Protected Forest or Reserved Forest</i>).</p> <p>(c) Additional Accredited Compensatory Afforestation at the rate of 0.5 ha per relocated family.</p>

Note 1: The user agency or Accredited Compensatory Afforestation developer shall ensure that relocation is voluntary.

Note 2: No compensation under relevant schemes of the Central Government or State Government would be payable to relocatees or user agency or Accredited Compensatory Afforestation developer.

Note 3: The State Government can also use this provision, provided no central assistance on such scheme is availed.

SCHEDULE-II**[See rule 8 (2) and rule 9(4)]**

Time Period of examination of proposals for use of forest land for non-forest purpose by the Project Screening Committee

Sl. No	Size of forest land proposed for de-reservation/diversion for non-forest purpose (in hectares)	Nature of non-forest use	Time Period (Maximum Working Days prescribed)
(1)	(2)	(3)	(4)
1.	More than 5 and upto 40	All usage (except mining)	60
2.	More than 5 and upto 40	Mining	75
3.	More than 40 and upto 100	All usage (except mining)	75
4.	More than 40 and upto 100	Mining	90
5.	More than 100	All usage (except mining)	120
6.	More than 100	Mining	150

Note-1: Time period (working days) counted from the date of final submission of proposal as accepted by the Project Screening Committee [see rule 9(4) (e)].

Note-2: Project Screening Committee or the Divisional Forest Officer shall examine a proposal only after an approved special plan, such as Wildlife Management Plan, Catchment Area Treatment Plan Stream/River Protection Plan, etc. , if specified at the time of screening of proposal under clause (h) of sub-rule (4) of rule 9, has been submitted to the concerned authorities.

Note-3: All proposals related to mining and proposals other than mining involving forest area upto 5 ha specified under sub clause (j) of clause (4) of rule 9, shall be processed within maximum working days of 45 and 30, respectively.

[F. No. FC- 11/118/2021-FC]

RAMESH KUMAR PANDEY, Inspector General of Forests

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)

ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-91

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 28 ಕೇನಿಪ್ರ 2022

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 02.12.2022.

ದಿನಾಂಕ: 04.07.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ
Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Marine Aids to Navigation
(Development of Heritage Lighthouses) Rules, 2022 ರ Notification-GSR 512(E) ಅನ್ನು
ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF PORTS, SHIPPING AND WATERWAY

NOTIFICATION

New Delhi, the 4th July, 2022

G.S.R. 512(E).—Whereas the draft Marine Aids to Navigation (Heritage Lighthouses) Rules, 2022 were published, as required under sub-section (1) of section 46 of the Marine Aids to Navigation Act, 2021 (20 of 2021), vide notification of the Government of India in the Ministry of Ports, Shipping and Waterways number G.S.R. 99 (E), dated the 2nd February, 2022 in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i) inviting objections and suggestions from affected persons before the expiry of the period of thirty days from the date on which copies of the Gazette containing this notification were made available to the public;

Whereas, copies of the said Gazette notification were made available to the public on 7th February, 2022;

And whereas, no objections and suggestions were received from public in respect of the said draft rules;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 23 read with clause (j) of sub-section (2) of section 46 of the Marine Aids to Navigation Act, 2021 (20 of 2021), the Central Government hereby makes the following rules, namely:—

1. **Short title, extent and commencement.**—(1) These rules may be called the Marine Aids to Navigation (Development of Heritage Lighthouses) Rules, 2022.
(2) It shall come into force from the date of their publication in the Official Gazette.
2. **Definitions.**— (1) In these rules, unless the context otherwise requires,
 - (a) “Act” means the Marine Aids to Navigation Act, 2021 (20 of 2021);
 - (b) “artefacts” means any manmade objects, equipment, which inherently exhibit the historical or cultural or heritage value of a lighthouse;
 - (c) “departmentally developed heritage lighthouses” means the heritage lighthouses developed by the Directorate General from the budget allocated to the Directorate General;
 - (d) “lighthouse” includes any light-vessel, fog-signal, buoy, beacon, or any mark, sign or apparatus exhibited or used for the guidance of ships;
 - (e) “lighthouse premises” means an area of land acquired, allotted, leased, rented or diverted to the Central Government for establishment of a lighthouse;
 - (f) “tourism potential” means an area with existing potential or prospective potential which may be developed for facilitating and furthering tourism.

- (2) Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.
3. **Categorisation of Heritage Lighthouses.**—(1) Lighthouses under the control of Central Government shall be categorised as heritage lighthouses which are either more than 75 years old or on the basis following parameters for harnessing its inherent educational, cultural and tourism potential, namely-
- (a) maritime significance – historical importance of navigational routes and prevalent trades on these routes at that time;
 - (b) associated history – factors on navigational safety that necessitated establishment of particular Lighthouse, such as accidents, wrecks, misleading approaches and the like;
 - (c) location – topography, ambience, scenic background, religious or cultural footprints, flora and fauna;
 - (d) architectural value – uniqueness of structure, its architecture and materials used in its construction; and
 - (e) tourism potential – lighthouses located at nearby sites earmarked by State or Central agencies for tourism development.
4. **Development of Heritage Lighthouses.**— (1) The Central Government shall develop the heritage lighthouses through the Director General of Aids to Navigation in a manner that no disruption is caused to the:—
- (a) operational status of aids to navigation;
 - (b) structure and architecture of the particular heritage lighthouse.
- (2) The Director General shall determine the mode of development of heritage lighthouses basis, inter-alia, tourism potential, cost of development works and recurring expenses, through either of the following:—
- (a) departmentally developed heritage lighthouses; or
 - (b) Public Private Partnership as may be approved by the Central Government.
- (3) The heritage lighthouses, in addition to their function as aids to navigation shall be developed:—
- (a) to preserve the historical, cultural and heritage values; or
 - (b) to exhibit the maritime history of the nation; or
 - (c) to promote tourism at lighthouse premises.
- (4) The development of heritage lighthouses shall include but not be limited to:—
- (i) heritage lighthouses and its artefacts with prevalent techniques of yore and the cultural lineage therein, shall be preserved and protected in their original form, irrespective of the further utilisation for the purpose of navigation or otherwise, through special maintenance and value addition in such manner as may be specified by the Director General, from time to time;
 - (ii) in the event of a natural calamity or decay of the heritage lighthouse, where the structural stability of heritage lighthouses pose danger to the human lives and properties, the Director General on approval from the Central Government shall remove such structures pursuant to obtaining requisite statutory clearances, as may be applicable;
 - (iii) infrastructure like onsite museum or centre for visitors or exhibition areas which may include amphitheatre, musical fountain may be developed by the Director General, showing past glimpses of heritage lighthouses to visitors;
 - (iv) the development may be done in such manner so as to apprise the public of the importance of aids to navigation in maritime prosperity and also to spread public awareness on environmental protection, search and rescue and response to maritime pollution;
 - (v) facilities for limited stay (resorts, visitor accommodation) for providing the visitor a unique opportunity to stay close to the heritage lighthouse and experience the tranquil ambience, scenic view, cultural osmosis of personnel of the Directorate General involved in operation of lighthouses, and changing conditions of the seascape;
 - (vi) premises of heritage lighthouses may be used for hosting special events like conferences, workshops, educational conclaves, wedding and birthday parties, marriage anniversaries which will help in increasing visitor's footfall; and
 - (vii) public convenience and utilities shall be provided at all the heritage lighthouses.

- (5) The modalities for departmentally developed heritage lighthouses may include:—
- the development works of heritage lighthouses to be taken up departmentally shall be in the nature of capital work and any assets created thereof shall be recorded under fixed assets of the Directorate General;
 - the Director General shall outsource the resources including manpower for maintenance and management of heritage lighthouse and expenditure thereof shall be in the nature of revenue account;
 - the Director General shall formulate the fee structures for visitors from time to time, considering access to the general public at large and objective of public awareness, sustainability of operations, and stipulate them through circulars issued by the Director General, from time to time;
 - the fee structure for visitors shall be displayed at the entrance of all heritage lighthouses;
 - the expenditure on development, maintenance and management of heritage lighthouses and accrual against built-up corpus shall be in accordance with provisions of Marine Aids to Navigation (Accounting and Financial Power) Rules, 2022; and
 - the Director General shall distinguish and maintain separate records of assets established for development of heritage lighthouses and operation of aids to navigation.
- (6) The modalities for development of heritage lighthouses through Public Private Partnership (PPP) mode may include:—
- the Director General shall formulate feasible project components, in reference with sub-rule (4) of Rule 4, in respect of the heritage lighthouses to be taken up for development on Public Private Partnership mode;
 - the Director General shall adhere to all prevailing guidelines issued by the Central Government or local statutory bodies from time to time concerning Public Private Partnerships;
 - the Director General shall select the developer through competitive bidding or such other permissible measures as per the prevailing guidelines issued by the Central Government;
 - the Director General shall enter into a concession agreement with the selected developer for the specified concession period for executing the development of heritage lighthouses on Public Private Partnership mode;
 - land area and existing assets proposed for development of heritage lighthouses shall be earmarked ensuring that there shall not be any kind of interference with the basic operation of a heritage lighthouse as an aid to navigation;
 - the earmarked area and existing assets may be utilised, developed and managed by the selected developer as per the concession agreement;
 - the Director General may engage domain experts for various components of the project such as detailed project report, techno-economic feasibility report, obtaining statutory clearances, overseeing the project, during the currency of the project, and
 - the concessionaire shall display the fee structure at conspicuous locations of heritage lighthouses.
5. **Dissemination of information on heritage lighthouses to public.**—(1) The Director General may take all such steps, such as bringing out stamps, postal covers, booklets on heritage lighthouses, catalogues, memorable photographs, documentaries, display of signs at conspicuous places, sharing of information with State tourism departments, social media networking, creation of lighthouse information app for dissemination of information to general public, which may help in increasing visitors footfall and consequently promoting maritime safety, raising public awareness and shall help in boosting local business.
- (2) The Director General may enter into memorandum of understanding or agreement with the state tourism departments for educating local registered guides about the maritime history, history of lighthouses in general and history of particular heritage lighthouse to synergise tourism potential of the region.
- (3) The Director General may engage domain experts in the field for widening the overall tourism canvas of heritage lighthouses in general or a particular heritage lighthouse.
6. **Branding of heritage lighthouses.**—(1) The Director General may consider adequate provision for branding and promotion of heritage lighthouse for its development and management and the expenditure towards such branding and promotion of the heritage lighthouse shall be charged under revenue account in accordance with the provisions of the Marine Aids to Navigation (Accounting and Financial Power) Rules, 2022.

- (2) Souvenir shops may be established within the Lighthouse complex and range of quality promotional materials embossed with heritage lighthouse insignia may be kept for sales to visitors.
7. The expenditure and receipts pertaining to the development, operation, maintenance and management of heritage lighthouses shall be in accordance with provisions of Marine Aids to Navigation (Accounting and Financial Power) Rules, 2022.
8. The legal documentation through which lands have been acquired by the Director General for the purpose of establishment of aids to navigation shall be amended appropriately to incorporate the inclusion of development of heritage lighthouses on such lands in accordance with the Act.
9. The Director General shall develop and issue suitable Standard Operating Procedures (SOPs), as may be required, to regulate the activities, maintenance of safety and security, operational requirements, and discharge of functions to be performed under the provisions of these Rules.

[F. No. LH-11012/1/2022-SL]

LUCAS L. KAMSUAN, Jt. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)

ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

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**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 29 ಕೇನಿಪ್ರ 2022 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 02.12.2022.
ದಿನಾಂಕ: 06.07.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Plastic Waste Management (Second
Amendment) Rules, 2022 ರ Notification-GSR 522(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 6th July, 2022

G.S.R. 522(E).—Whereas the draft rules further to amend the Plastics Waste Management Rules, 2016, were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated the 18th January, 2022, *vide* notification number G.S.R. 22 (E) dated the 18th January, 2022, inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date copies of the Gazette containing the said draft rules were made available to the public;

And whereas, copies of the Gazette containing the said draft rules were made available to the public on the 18th January, 2022 ;

And whereas, objections and suggestions received within the aforesaid period have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 3, 6, and 25 of the Environment (Protection) Act 1986, (29 of 1986), the Central Government hereby makes the following rules further to amend the Plastic Waste Management Rules, 2016, namely :-

1. Short title and commencement.— (1) These rules may be called the Plastic Waste Management (Second Amendment) Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Plastic Waste Management Rules, 2016 (hereinafter referred to as the said rules), in rule 3,-

(i) after clause (ab), the following clause shall be inserted, namely:-

‘(ac) “Biodegradable plastics” means plastics, other than compostable plastics, which undergoes degradation by biological processes under ambient environment (terrestrial or in water) conditions, without leaving any micro plastics, or visible, or distinguishable or toxic residue, which has adverse environment impacts, adhering to laid down standards of Bureau of Indian Standards and certified by the Central Pollution Control Board;’;

(ii) in clause (b), after the words “brand labels”, the words “or trademark” shall be inserted;

- (iii) in clause (c), before the words “means bags made” the following words and brackets “(covered under Category II of plastic packaging – Clause (5.1) (II), given in Schedule – II)” shall be inserted.
- (iv) clause (ga), shall be renumbered as “(gb)” thereof and before clause (gb) as so renumbered, the following clause shall be inserted, namely :-
- ‘(ga) “End of Life disposal” means using plastic waste for generation of energy subject to relevant guidelines in force, which includes co-processing (e.g. in cement, steel or any other such industry) or waste to oil, except in cases where feedstock chemicals are produced for further use in the production of plastic which may then be considered under recycling or for road construction as per Indian Road Congress guidelines etc.’;
- (v) for clause (k), the following clause shall be substituted, namely:-
- ‘(k) “Importer” means a person who imports plastic packaging or products with plastic packaging or carry bags or multilayered packaging or plastic sheets or like;’;
- (vi) after clause (o), the following clause shall be inserted, namely :-
- ‘(oa) Plastic Packaging” means packaging material made by using plastics for protecting, preserving, storing, and transporting of products in a variety of ways;’ ;
- (vii) after clause (qa), the following clause shall be inserted, namely :-
- ‘(qb) “Plastic Waste Processors” means recyclers of plastic waste as well as entities engaged in using plastic waste for energy (waste to energy) including in coprocessing or converting plastic waste to oil (waste to oil) except in cases where feedstock chemicals are produced for further use in the production of plastic which may then be considered under recycling , industrial composting;’;
- (viii) after clause (qb), the following clause shall be inserted, namely:-
- ‘(qc) “Post-consumer plastic packaging waste” means plastic packaging waste generated by the end-use consumer after the intended use of packaging is completed and is no longer being used for its intended purpose;’;
- (ix) after Clause (r), the following clause shall be inserted, namely:-
- ‘(ra) “Pre-consumer plastic packaging waste” means plastic packaging waste generated in the form of reject or discard at the stage of manufacturing of plastic packaging and plastic packaging waste generated during the packaging of product including reject, discard, before the plastic packaging reaches the end-use consumer of the product;’;
- (x) after clause (s), the following clause shall be inserted, namely :-
- ‘(sa) “Recyclers” are entities who are engaged in the process of recycling of plastic waste;’;
- (xi) after clause (u), the following clause shall be inserted, namely:-
- ‘(ua) “Reuse” means using an object or resource material again for either the same purpose or another purpose without changing the object’s structure;’;
- (xii) after clause (w), the following clause shall be inserted, namely :-
- ‘(wa) “Use of recycled plastic” means recycled plastic used as raw material, instead of virgin plastic, in the manufacturing process;’;
- (xiii) after clause (aa), the following clause shall be inserted, namely :-
- ‘(aab) “Waste to Energy” means using plastic waste for generation of energy and includes co-processing (e.g. in cement, steel or any other such industry);’.
3. In in rule 4 of the said rules, , -
- (i) in sub-rule (1),
- (a) in clause (d), after the words “thickness except”, the words “ as specified by the Central Government” shall be inserted;

(b) in clause (h),-

(A) after the words “made up of compostable plastic”, the words “and biodegradable plastics” shall be inserted;

(B) for the letters and figures “IS 17088:2008,”, the letters and figures “IS / ISO 17088:2021” shall be substituted;

(C) after the words “seller of compostable plastic”, the words “and biodegradable plastics” shall be inserted;

(ii) in sub-rule (3), after the words “compostable plastic”, the words “and biodegradable plastics” shall be inserted.

4. In rule 9 of the said rules, -

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) The Producers, Importers and Brand Owners shall fulfil Extended Producers Responsibility for Plastic Packaging as per guidelines specified in Schedule -II.”;

(ii) in sub-rule (2), the portion beginning with the words “This plan of collection” and ending with the words “two years thereafter” shall be omitted;

(iii) in sub-rule (4), before the words “Pollution Control Board”, the words, “Central Pollution Control Board and State” shall be inserted;

(iv) in sub-rule (5), -

(A) after the words “without registration from” the words “Central Pollution Control Board if operating in more than two states or Union territories,” shall be inserted;

(B) after the words “Pollution Control Committees”, the words, brackets and figures “ as per sub-rule (2) of rule 13” shall be inserted.

5. For rule 10 of the said rules, the following rule shall be substituted, namely.-

“ 10. Protocols for compostable and biodegradable plastic materials.- (1) Determination of the degree of degradability and degree of disintegration of plastic material shall be as per the protocols of the Indian Standards listed in Schedule I.

(2)The compostable plastic materials shall conform to the IS / ISO 17088:2021, as amended from time to time.

(3) The biodegradable plastics shall conform to the standard notified by the Bureau of Indian Standards and certified by the Central Pollution Control Board.

(4) Until a standard referred to in sub-rule (3) is notified by the Bureau of Indian Standards, biodegradable plastics shall conform to tentative Indian Standard IS 17899 T:2022 as notified by the Bureau of Indian Standards.

(5) As a transitory measure, provisional certificate for biodegradable plastics, shall be issued by the Central Pollution Control Board, in cases, where an interim test report is submitted, for an ongoing test, which covers the first component of the IS 17899 T:2022 relating to biodegradability given at Sl. No. (i) or Sl. No. (ii) of Table 1 or Sl. No. (i) of Table 2 of the IS 17899 T:2022:

Provided that the provisional certificate shall be valid till 30th June 2023 with the condition that production or import of biodegradable plastics shall cease after the 31st day of March, 2023.

(6) The interim test report shall be obtained from the Central Institute of Petrochemical Engineering and Technology or a laboratory recognised under the Laboratory Recognition Scheme, 2020, of the Bureau of Indian Standards or laboratories accredited for this purpose by the National Accreditation Board for Testing and Calibration Laboratories, and they shall certify the bio-degradation of plastic is in line with IS 17899 T:2022.

6. In sub-rule (1) of rule 11 of the said rules,-

(i) for clause (a), the following clause shall be substituted, namely:-

“(a) name, registration number of the producer or brand owner and thickness in case of carry bag and plastic packaging :

Provided that this provision shall not be applicable,-

(i) for plastic packaging used for imported goods:

(ii) for cases falling under rule 26 of the Legal Metrology Packaged Commodities Rules, 2011, after the approval of the Central Pollution Control Board:

(iii) for cases where it is technically not feasible to print the requisite information mandated under this Rule, as per specifications given in the “Guidelines for use of Standard Mark and labelling requirements under BIS Compulsory Registration Scheme for Electronic and IT Products” after the approval of the Central Pollution Control Board .”;

(ii) in clause (b), “with effect from the 1st January, 2023” for the word “manufacturer”, the words “producer or brand owner” shall be substituted.

(iii) after clause (c), the following clause shall be inserted, namely:-

“(d) the importer or producer or brand owner of imported carry bags or multi-layered packaging or plastic packaging, alone or along with the products shall adhere to clause (a) and (b).”

7. In rule 12 of the said rules, in sub-rule (1), before the words, “State Pollution Control Board” the words, “Central Pollution Control Board or” shall be inserted.

8. In rule 13 of the said rules, -

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) No person shall manufacture carry bags or recycle plastic bags or multilayered packaging unless the person has obtained registration from,-

(i) the concerned State Pollution Control Board or Pollution Control Committee of the Union territory, if operating in one or two states or Union territories; or

(ii) the Central Pollution Control Board, if operating in more than two States or Union territories.”;

(ii) in sub-rule (2),-

(A) after the word “producer”, the words “or importer” shall be inserted;

(B) after the words “make an application” , the words and figures “as per the guidelines specified in Schedule -II,” shall be inserted;

(iii) in sub-rule (3), after the words “in Form II”, the words and figures “as per the guidelines specified in Schedule –II” shall be inserted.

(iv) Sub-rule (6) shall be omitted;

(v) in sub-rule (7), after the words “terms of registration” occurring at the end, the words and figures “and the registration shall be subject to fulfilment of obligations in accordance with the guidelines on Extended Producer Responsibility for Plastic Packaging specified in Schedule -II.” shall be inserted.

9. After rule 17 of the said rules, the following rule shall be inserted, namely:-

“18. Imposition of Environmental Compensation.- The Environmental Compensation shall be levied based upon polluter pays principle, on persons who are not complying with the provisions of these rules, as per guidelines notified by the Central Pollution Control Board.”.

10. For Schedule I of the said rules, the following shall be substituted, namely:-

“SCHEDULE-I

[See rule 10]

(1)	(2)
1	IS / ISO 14851: 2019 Determination of the Ultimate Aerobic Biodegradability of Plastic Materials in an Aqueous Medium — method by measuring the Oxygen demand in a closed respirometer (First Revision)
2	IS / ISO 14852: 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium—method by analysis of evolved Carbon dioxide
3	IS / ISO 14853: 2016 Plastics — Determination of the ultimate anaerobic biodegradation of plastic materials in an aqueous system —method by measurement of biogas production (First Revision)
4	IS /ISO 14855-1: 2012 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions — method by analysis of evolved Carbon dioxide: Part 1 General method (First Revision)
5	IS / ISO 14855-2: 2018 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions — method by analysis of evolved carbon dioxide: Part 2 Gravimetric measurement of Carbon dioxide evolved in a laboratory- scale test (First Revision)
6	IS / ISO 15985: 2014 Plastics — Determination of the ultimate anaerobic biodegradation under high-solids anaerobic-digestion conditions — methods by analysis of released biogas (First Revision)
7	IS /ISO 16929: 2019 Plastics — Determination of the Degree of Disintegration of Plastic Materials under Defined Composting Conditions in a Pilot-Scale Test (Second Revision)
8	IS / ISO 17556: 2019 Plastics — Determination of the Ultimate Aerobic Biodegradability of plastic materials in soil by measuring the Oxygen demand in a Respirometer or the amount of Carbon Dioxide Evolved (Second Revision)
9	IS / ISO 20200 : 2015 Plastics — Determination of degree of disintegration of plastic materials under simulated composting conditions in a laboratory - Scale test (First Revision)”

11. In the said rules, in Form I,-

(i) in the sub-heading “1.Producers”, for serial number 11 and the entries relating thereto, the following shall be substituted, namely:-

“ 11.	Action plan in line with the guidelines specified in Schedule -II”.	
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(ii) in sub-heading “II Brand Owners”, for serial number 9 and the entries relating thereto, the following shall be substituted, namely:-

“9.	Action plan in line with the guidelines specified in Schedule -II”.	
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(iii) after sub-heading “II. Brand Owners” and the entries relating thereto, the following shall be inserted, namely:-

" III- Importers

PART – A GENERAL		
1.	Name, Address and Contact number	
2	In case of renewal, previous registration number and date of registration	
3	Is the unit registered with the District Industries Centre of the State Government or Union Territory? If yes, attach a copy.	
4.(a)	Total capital invested on the project	
(b)	Year of commencement of production	
5. (a)	List and quantum of products and by-products	
(b)	List and quantum of raw materials used	
6 (a)	Quantity of plastic sheet or like used for packaging of imported or to be imported products	
(b)	Quantity of plastic sheet or like used for packaging for further supply or self-use	
(c)	Quantity of multilayered packaging for further supply or self-use	
PART – B PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS		
7.	Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)? If yes, attach a copy	
8.	Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)? If yes, attach a copy	
PART – C PERTAINING TO WASTE		
9.	Solid Wastes or rejects: (a) Total quantum of waste generated (b) Mode of storage within the plant (c) Provision made for disposal of wastes	
10. (a)	Attach or provide list of person supplying imported (i) plastic sheet or like used for packaging, (ii) multilayered packaging	
(b)	Quantity of imported (i) plastic sheet or like used for packaging along with the quantity used for further supply or self use, (ii) multilayered packaging along with the quantity used for further supply or self use	
11.	Action Plan in line with Guidelines specified in Schedule - II	
<div style="text-align: right;">Name and Signature</div> <div style="text-align: right;">Designation</div> <div>Date :</div> <div>Place :".</div>		

12. In Form IV of the said rules, after serial number (9) and the entries thereto, the following shall be inserted, namely:-

“(10). Data to be provided as per guidelines specified in Schedule -II by 30th April of every year to the concerned State Pollution Control Board or Pollution Control Committee”

13. In Form VI of the said rules, after the table, the following note shall be inserted:-

“Note: The following informations shall be provided to the Central Pollution Control Board by 30th April of every year, namely:-(a) Manufacturer of carry bag, recycled plastic bag, multilayered packaging (Registered under clause (i) of sub-rule (1) of rule 13;

(b) Producer, Importer, Brand Owner (Registered under clause (i) of sub-rule (2) of rule 13;(c)Recycler and plastic waste processor (Registered under clause (i) of sub-rule (3) of rule 13”.

14. Paragraph 3 of Schedule – II of the said rules shall be omitted. 15. In Schedule II of the said rules, for sub-- paragraph (7.8), the following shall be substituted, namely:-

“(7.8) In case, the obligated entity utilizes plastic packaging made from biodegradable plastics, the provisions of rule 10 shall be applicable and the Extended Producer Responsibility target shall not be applicable.”

[F. No. 17/24/2021-HSMD]

NARESH PAL GANGWAR, Addl. Secy.

Note : The principal rules were published in the Gazette of India, vide number G.S.R. 320(E), dated the 18th March, 2016 and subsequently amended vide notification number G.S.R. 285(E), dated the 27th March, 2018, vide notification number G.S.R. 571(E), dated the 12th August, 2021, vide notification number G.S.R. 647(E), dated the 17th August, 2021 and last amended vide notification number G.S.R. 133(E) , dated the 16th February 2022.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)

ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
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ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

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**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 30 ಕೇನಿಪು 2022

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 02.12.2022.

ದಿನಾಂಕ: 09.07.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Arbitration Council of India (Terms and Conditions and salary and allowances payable to the Chairperson and Members) Rules, 2022 ರ Notification-GSR 527(E)ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF LAW AND JUSTICE**(Department of Legal Affairs)****NOTIFICATION**

New Delhi, the 9th July, 2022

G.S.R. 527(E).—In exercise of the powers conferred by sub-section (1) of section 84 read with sub-section (3) of section 43C of the Arbitration and Conciliation Act, 1996 (26 of 1996), the Central Government hereby makes the following rules, namely: -

1. Short title and commencement. - (1) These rules may be called the Arbitration Council of India (Terms and Conditions and salary and allowances payable to the Chairperson and Members) Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

(a) “Act” means the Arbitration and Conciliation Act, 1996 (26 of 1996);

(b) “Member” means a Member of the Council appointed under clauses (b) and (c) of sub-section (1) of section 43C of the Act.

(2) The words and expressions used in these rules and not defined, but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Terms and conditions of service of Chairperson and Members.- The terms and conditions of service of the Chairperson and Member with respect to which no express provision has been made under these rules, shall be regulated in accordance with such rules and regulations as are for the time being applicable to officers of equivalent rank in the Central Government.

4. Salary and allowances.- (1) The Chairperson, shall be paid a salary of Rs.2,25,000/- p.m. (fixed) (level 17 of the pay matrix), and other allowances and benefits, as are admissible to the Central Government officer holding the post carrying the same pay.

(2) The Member shall be paid a salary in pay level 15 (Rs. 182200 – 224100) of the pay matrix, and other allowances and benefits as are admissible to the Central Government officer holding the post carrying the same pay.

(3) In case of a person appointed as Chairperson or Member is in receipt of any pension, the pay of such person shall be reduced by the gross amount of pension drawn by him.

5. Leave. - (1) The Chairperson or a Member shall be entitled to earned leave for thirty days for every completed year of service.

(2) The Chairperson or a Member shall be entitled for eight days casual leave in a calendar year.

(3) The payment of leave salary during leave shall be governed by rule 40 of the Central Civil Services (Leave) Rules, 1972.

(4) The Chairperson or Member shall be entitled to encashment of leave in respect of the earned leave standing to his credit, subject to the condition that maximum leave encashment, including the amount received at the time of retirement from previous service shall not in any case exceed the limit prescribed under the Central Civil Service (Leave) Rules, 1972.

6. Leave sanctioning authority.-The Chairperson shall be the competent authority to sanction leave to a Member and the Central Government shall be the competent authority to sanction leave to the Chairperson.

7. House rent allowance. - The Chairperson and the Member shall be entitled to a rent free accommodation or house rent allowance at the rate of twenty seven per-cent. of their respective basic pay.

8. Provident Fund. - The Chairperson and a Member shall be entitled to subscribe to the Contributory Pension Fund.

9. Travelling allowances. - (1) The Chairperson and a Member, while on tour, domestic or foreign, (including the journey undertaken to join the Council or on the expiry of his term with the Council to proceed to his home town) shall be entitled to travelling allowance, daily allowances, transportation of personal effects and related benefits at the same scale and at the same rates as are for the time being applicable to an officer of equivalent rank in the Central Government.

(2) The Central Government shall be the sanctioning authority for the foreign visits of the Chairperson and Members.

10. Leave travel concession. - The Chairperson and Members shall be entitled to leave travel concession at the same rates and on the same conditions as are applicable to an officer of equivalent rank in the Central Government.

11. Facility for medical treatment. - The Chairperson and Member shall be entitled to medical treatment and hospital facilities as are provided in the Central Government Health Scheme to the officers of 'Group A' of equivalent rank or where the Scheme is not available, the Chairperson and Member shall be entitled to the medical treatment and hospital facilities under the Central Services (Medical Attendance) Rules, 1944.

12. Facility of conveyance. - The Chairperson and Member shall be entitled to the facility of staff car for journeys for official and private purposes in accordance with the Staff Car Rules of the Central Government.

13. Telephone facility and entertainment expenses. - The Chairperson and Member shall be entitled for telephone facilities and entertainment expenses as are admissible to officers of equivalent rank in the Central Government.

14. Declaration of financial and other interests. - The Chairperson and Member shall, before entering upon his office, declare his assets and liabilities and financial and other interests.

15. Power to relax rules. - Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by an order and for the reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

[F. No.A- 60011/152/2019-Admn.III (LA)]

SUNITA ANAND, Jt. Secy. and Legal Adviser

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
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ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಶಾಇ 31 ಕೇನಿಪ್ರ 2022

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 02.12.2022.

ದಿನಾಂಕ: 12.07.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Almond (kernel) Grading and Marking Rules,
2022 ರ Notification-GSR 538(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF AGRICULTURE AND FARMERS WELFARE**(Department of Agriculture and Farmers Welfare)****NOTIFICATION**

New Delhi, the 12th July, 2022

G.S.R. 538(E).—Whereas, the draft of the Almond (kernel) Grading and Marking Rules, 2022, was published under sub-section (1) of section 3 of the Agricultural Produce (Grading and Marking) Act (1 of 1937) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R.217 (E), dated the 22nd March, 2022, inviting objections and suggestions from all persons likely to be affected thereby within forty-five days from the date on which copies of the said notification published in the Gazette of India, were made available to the public;

And whereas, the copies of the said notification were made available to the public on 22nd March, 2022, and whereas, the objections and suggestions received from the stakeholders in respect of the said draft rules have been duly considered;

Now, therefore, in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, namely:-

1. Short title, application and commencement. - (1) These rules may be called the Almond (kernel) Grading and Marking Rules, 2022.

(2) They shall apply to Almond (kernel) obtained from *Prunus amygdalus* Batsch. syn. *Prunus dulcis* (Mill.)D.A. Webb intended for human consumption.

(3) They shall come into force on the date of their final publication in the Official Gazette.

2. Definitions. - (1) In these rules, unless the context otherwise requires,-

- (a) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;
- (b) "authorised packer" means a person or a body of persons who has been granted a certificate of authorisation to grade and mark the Almond (kernel) in accordance with the grade standards and procedure provided under these rules and the General Grading and Marking Rules, 1988;
- (c) "Certificate of Authorisation" means a certificate issued under the provisions of the General Grading and Marking Rules, 1988, authorising a person or a body of person to grade and mark Almond (kernel) with the Grade Designation Mark;
- (d) "General Grading and Marking Rules" means the General Grading and Marking Rules, 1988 made under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937);
- (e) "Grade Designation Mark" means "AGMARK Insignia" referred to in rule 3;
- (f) "Legal Metrology (Packaged Commodities) Rules" means the Legal Metrology (Packaged Commodities) Rules, 2011, made under the Legal Metrology Act, 2009 (1 of 2010); and
- (g) "Schedule" means a Schedule appended to these rules.

(2) The words and expressions used in these rules and not defined but defined in the Agricultural Produce (Grading and Marking) Act, 1937 or the General Grading and Marking Rules, 1988, shall have the same meaning as are assigned to them under the said Act or the Rules.

3. Grade Designation Mark.-The Grade Designation Mark shall consist of the design of "AGMARK Insignia" as set out in Schedule-I, incorporating the certificate of authorisation number, the word "AGMARK", the name of commodity and its grade.

4. Grade designations.- The grade designations to indicate the quality of Almond (kernel) including the criteria for grade designation shall be as set out in Schedule-II.

- 5. Quality.** - For the purpose of these rules, the quality of Almond (kernel) shall be as provided in Schedule- II.
- 6. Method of packing.** -(1) The Almond (kernel) shall be packed in new clean paper bags or cloth bags or dry jute bags or poly woven bags with inner lining of food grade material or new glass jar or any bio-degradable packaging materials or poly packs of food grade material or any other packaging material as approved by the Agricultural Marketing Adviser or the officer authorised by him under rule 11 of the General Grading and Marking Rules, 1988.
- (2) The packaging material shall be free from insect and fungal infestation and should not impart any toxic substance or undesirable odour or flavor to the product.
- (3) The Almond (kernel) shall be packed in pack sizes either in accordance with the provisions of the Legal Metrology (Packaged Commodities) Rules, 2011 or as allowed by the Agricultural Marketing Adviser under rule 11 of the General Grading and Marking Rules, 1988.
- (4) The graded material of small pack sizes of the same lot or batch and grade may be packed in a master container with complete details thereon along with Grade Designation Mark.
- (5) Each package shall contain Almond (kernel) of the same type and of the same grade designation.
- (6) Each package shall be properly and securely closed and sealed so as to disallow spilling.
- 7. Method of Marking.** -(1) The Grade Designation Mark shall be securely affixed to or printed on each package in the manner approved by the Agricultural Marketing Adviser or the officer authorised by him under rule 11 of the General Grading and Marking Rules, 1988.
- (2) In addition to the Grade Designation Mark, following particulars shall be clearly and indelibly marked on each package, namely. –
- name of the commodity;
 - grade;
 - variety or trade name (optional);
 - lot /batch number;
 - date of packing;
 - crop year (optional);
 - net weight;
 - name and address of the authorized packer;
 - maximum retail price (inclusive of all taxes);
 - BEST BEFORE _____MONTH_____YEAR; and
 - any other particulars as provided under the Legal Metrology (Packaged Commodities) Rules, 2011 or specified under the Food Safety and Standards (Packaging) Regulations, 2018 and the Food Safety and Standards (Labelling and Display) Regulations, 2020 or any notification issued under any other law for the time being in force or any instructions issued under provisions of the Act:
- Provided that the ink used for marking on packages shall not contaminate the Almond (kernel).
- (3) The authorised packer may after obtaining prior approval of the Agricultural Marketing Adviser or an officer authorised by him under rule 11 of General Grading and Marking Rules, 1988, mark his private trade mark or trade brand on the graded packages provided the same do not indicate quality other than that indicated by the Grade Designation Mark affixed to the graded packages in accordance with these rules.
- 8. Special conditions of Certificate of Authorisation.** -(1) In addition to the conditions specified in sub-rule (8) of rule 3 of the General Grading and Marking Rules, 1988, every authorised packer shall comply the conditions specified under these rules.

(2) The authorised packer shall either set up his own laboratory as per norms issued under rule 8 of the General Grading and Marking Rules, 1988, or have access to an approved State Grading Laboratory or cooperative or association laboratory or a private commercial laboratory manned by a qualified chemist approved by the Agricultural Marketing Adviser or the officer authorised by him under rule 9 of the General Grading and Marking Rules, 1988, for testing the quality of Almond (kernel).

(3) The premises of authorised packer shall be maintained in hygienic and sanitary conditions with proper ventilations and well lighted arrangement and the personnel engaged in these operations shall be in sound health and free from any infectious, contagious or communicable diseases.

(4) The premises of the authorised packer shall have adequate storage facilities with pucca floor and free from dampness, any kind of cracks and crevices, rodent and insect infestation.

(5) The authorised packer and the approved chemist shall observe all instructions regarding testing, grading, packing, marking, sealing and maintenance of records which may be issued by the Agricultural Marketing Adviser or an officer authorised by him in this behalf in accordance with the General Grading and Marking Rules, 1988 from time to time.

SCHEDULE-I

(See rule 3)

(Design of AGMARK Insignia)



Name of the Commodity.....

Grade.....

SCHEDULE-II

(See rules 4 and 5)

Grade Designation and Quality of Almond (kernel)

1. Almond (kernel) shall be obtained by drying sound, mature, clean fruits of *Prunus amygdalus* Batsch. syn. *Prunus dulcis* (Mill.) D.A. Webb varieties.
2. Minimum requirements:
 - (i) Almond (kernel) shall.-
 - (a) be sound, whole, sufficiently dried and properly cleaned;
 - (b) have uniform colour and achieved appropriate stage of maturity;
 - (c) have pleasant taste and flavour characteristics to the variety;
 - (d) be free from visible mould growth, rodent contamination;
 - (e) be free from foreign matter, particles, dust, soil, extraneous vegetable matter, living insects, dead insects, insect fragments, insect eggs, mites, rodent contamination;
 - (f) be free from any added coloring matter;

- (g) be free from off-odor, evidences of fermentation, mustiness and rancidity;
- (ii) for domestic trade, it shall comply with the restrictions in regard to residual levels of metal contaminants, insecticides and pesticides residue, microbial requirements, crop contaminants, naturally occurring toxic substances and other food safety requirements as specified under the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011, the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011 and other regulations made for domestic trade under Food Safety and Standards Act, 2006(34 of 2006).
- (iii) for export trade, it shall comply with the residual limits of heavy metals, pesticides and other food safety requirements as laid down by the Codex Alimentarius Commission or importing countries requirement for exports.

3. Criteria for Grade Designation of Almond (kernel):

TABLE

Grade Designation	Maximum limit of tolerance (Percent by mass)											Oil Content % by weight ODB (Minimum)
	Moisture	In shell almonds, shell or skin fragments	Rancid, rotten and damaged by insects or other pests	Gummy and brown spot	Blemished & Discoloured Kernels	Shrunken or shriveled, Dissimilar kernels	Spilt, Broken & halves Kernels	Chipped & Scratched Kernels	Double & twin Kernel	Acid Value of Extracted Oil, as oleic acid	Acid insoluble Ash %	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
Special	5.0	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	0.4	0.1	49.0
Standard	5.5	0.25	1.0	2.0	2.5	2.5	2.5	3.0	4.0	0.6		47.0
General	6.0				Total tolerance: Not more than 10.0				5.0	7.0		9.0

ODB means on dry weight basis.

Explanations: For the purpose of this Table, the expressions,-

- (a) Blemishes and discolored means damage caused by excessive heat/ sunburn, scars, mechanical injury that affects the flavor, color, appearance or edibility of the kernel.
- (b) “brown spot” means slightly depressed brown spots on the almond kernel, affecting or not the endosperm, either single or multiple, caused by the sting of insects as the box elder bug (*Leptocoris trivittatus* Say.), covering in aggregate an area more than the equivalent of a circle of 3 mm in diameter; and blemish and discoloration apparent and spread stains, other than gum and brown spot, or severe dark or black discoloration contrasting with the natural colour of the kernel skin, affecting in aggregate more than one quarter of the surface of the almond kernel; it is not considered as a defect the normal colour variations between the kernels of one lot.
- (c) Chipped kernel means mechanically damaged almond kernel from which less than one quarter of the kernel is missing; it is not considered as a defect the loss, in aggregate, of less than the equivalent of a circle of 3 mm in diameter.
- (d) Double kernel means two kernels developing in one shell, one side of a kernel is flat or concave.
- (e) “gummy” means resinous appearing substance, affecting or not the endosperm covering in aggregate an area more than the equivalent of a circle of 6 mm in diameter.
- (f) Scratched kernel means superficially mechanically damaged almond (kernel) with absence of part of the skin, affecting or not the endosperm; it is not considered as a defect, lack of skin or scratched area of less, in aggregate, than the equivalent of a circle of 3 mm in diameter.

- (g) Shrunk or shriveled dissimilar kernels means extremely flat and wrinkled, or almond (kernel) with desiccated, dried out or tough portions when the affected portion represents more than one quarter of the kernel.
 - (h) Split and broken means almonds with more than one-third missing portion.
4. Other requirements:-
- (i) The condition of the Almond (kernel) shall be so as to enable it to –
 - (a) withstand transport and handling; and
 - (b) arrive in satisfactory condition at the place of destination.
 - (ii) Almond (kernel) shall be stored in cool, dry place and properly maintained in a clean and hygienic condition.

[F. No. Q-11047/06/Almond/2019-Std.]

Dr. VIJAYA LAKSHMI NADENDLA, Jt. Secy. (Marketing)

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)

ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-95

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 32 ಕೇನಿಪ್ರ 2022

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 02.12.2022.

ದಿನಾಂಕ: 09.07.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ
Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Arbitration Council of India
(Qualifications, Appointment and other Terms and Conditions of the Service of Chief
Executive Officer) Rules, 2022 ರ Notification-528(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

NOTIFICATION

New Delhi, the 9th July, 2022

G.S.R. 528(E). —In exercise of the powers conferred by sub-section (1) of section 84 read with sub-section (2) of section 43M of the Arbitration and Conciliation Act, 1996 (26 of 1996), the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.** – (1) These rules may be called the Arbitration Council of India (Qualifications, Appointment and other Terms and Conditions of the Service of Chief Executive Officer) Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.-** (1) In these rules unless the context otherwise requires,-

(a) “Act” means the Arbitration and Conciliation Act, 1996 (26 of 1996); and

(b) “Chief Executive Officer” means the Chief Executive Officer appointed under section 43M of the Act.

(2) All other words and expressions used herein but not defined shall have the same meaning respectively assigned to them in the Act.

3. **Appointing authority.** - The Chairperson shall be the appointing authority of the Chief Executive Officer.

4. **Salary and allowances.-** The Chief Executive Officer shall be paid a salary in level 15 (Rs.182200-224100/-) in the pay matrix and other allowances and benefits, as are admissible to the Central Government officer holding the post carrying the same pay.

5. **Method of recruitment .-** The appointment of the Chief Executive Officer shall be made on deputation (including short-term contract) in accordance with the orders and instructions of the Central Government issued from time to time for appointment of Chief Executive Officers in autonomous bodies.

6. **Eligibility criteria.-** Officers of the Central Government or State Government or Courts or Tribunals or Autonomous bodies or recognised Universities, who are not less than 45 years of age and,-

(a) (i) holding analogous post on regular basis; or

(ii) holding a post of Joint Secretary or equivalent for a minimum period of two years and having experience of working in areas of administration or legal work; or

(iii) holding a post of Judicial officer with at-least five years of experience as Additional District Judge; and

(b) possessing Master's degree in Management or Economics or Public Administration or a Bachelor's degree in Law from a recognised University or Institution,

shall be eligible for appointment to the post of the Chief Executive Officer on deputation.

7. **Term of appointment. -** (1) The term of appointment of the Chief Executive Officer shall ordinarily not exceed three years.

(2) The term of the Chief Executive Officer may be extended with the approval of the Central Government in accordance with the orders and instructions of the Central Government issued from time to time in this behalf.

(3) The maximum age limit for appointment on deputation shall be not exceeding fifty-six years as on the closing date of the receipt of applications.

8. **Absorption. -** Notwithstanding anything in these rules, the persons appointed as Chief Executive Officer, shall not be eligible to be considered for absorption.

9. **Disciplinary proceedings. -** The disciplinary proceedings against the Chief Executive Officer shall be as per rules and regulations applicable to officers and employees belonging to Group A of the corresponding scales of pay of the Central Government.

10. **Accommodation. -** The Chief Executive Officer shall be entitled to a house rent allowance at the same rate, as are admissible to officers of Group A of the Central Government holding the post in corresponding scale of pay, stationed at those places.

11. **Conditions of service. -** The conditions of service of the Chief Executive Officer in the matters of pay, allowances, leave, provident fund, age of superannuation, pension and retirement benefits, medical facilities and other conditions of service, shall be regulated in accordance with such rules and regulations as are for the time being applicable to officers and employees belonging to Group A in corresponding scales of pay in the Central Government.

12. **Disqualification. -** No person,-

(a) who has entered into or contracted a marriage with a person having a spouse living; or

(b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to any of the said post:

Provided that the Central Government may, if satisfied that such marriage is permissible under personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

13. **Power to relax. -**Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

14. **Saving. -** Nothing in these rules shall affect reservation, relaxation of age-limit and other concessions required to be provided for persons belonging to the Scheduled Castes, the Scheduled Tribes, the Other Backward

Classes, the ex-Servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

15. **Residuary provisions.** - Matters with respect to which no express provision has been made under these rules shall be referred by the Council to the Central Government for its decision.

[F. No. A-60011/152/2019-Admn.III (LA)]

SUNITA ANAND, Jt. Secy. and Legal Adviser

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)

ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-96

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 33 ಕೇನಿಪ್ರ 2022

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 02.12.2022.

ದಿನಾಂಕ: 09.07.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ
Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Arbitration Council of India (Travelling
and other Allowances Payable to Part-time Members) Rules, 2022ರ Notification-GSR
529(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

NOTIFICATION

New Delhi, the 9th July, 2022

G.S.R. 529(E).—In exercise of the powers conferred by sub-section (1) of section 84 read with sub-section (4) of section 43C of the Arbitration and Conciliation Act, 1996 (26 of 1996), the Central Government hereby makes the following rules, namely: -

1. Short title and commencement. – (1) These rules may be called the Arbitration Council of India (Travelling and other Allowances Payable to Part-time Members) Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. – (1) In these rules unless the context otherwise requires, -

(a) “Act” means the Arbitration and Conciliation Act, 1996 (26 of 1996);

(b) “Part-time Member” means a Member of the Council appointed under clause (f) of sub-section(1) of 43C of the Act.

(2) All other words and expressions used in these rules and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

3. Monthly allowance. – (1) A Part-time Member shall be entitled to receive a consolidated sum of fifty thousand rupees per month.

4. Conveyance allowance. – (1) A Part-time Member shall be entitled for an amount of two thousand rupees or the actual expenses incurred by him for attending a meeting of the Council.

(2) A Part-time Member shall be entitled to travelling allowance, daily allowance as per the Department of Expenditure, Ministry of Finance OM No. 19047/1/2016-E.IV, dated the 14th September, 2017, to discharge his duties outside his ordinary place of residence.

(3) The official visits abroad by a Part-time Member shall be governed by the same provisions as are applicable to a Full -time Member of the Council.

5. Power to relax.— Where the Central Government is of the opinion that it is necessary or expedient so to do, it may by an order, for the reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6. **Residuary matters.** – Matters relating to Part-time Members, with respect to travelling and other allowance for which no express provision has been made in these rules, shall be referred by the Council to the Central Government for decision.

[F. No. A-60011/152/2019-Admn.III(LA)]

SUNITA ANAND, Jt. Secy. and Legal Adviser

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)

ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-97

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಇ 34 ಕೇನಿಪ್ರ 2022

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 02.12.2022.

ದಿನಾಂಕ: 09.07.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Arbitration Council of India (Number of
officers and other Employees, their qualifications, appointment and other Terms and
Conditions) Rules, 2022 ರ Notification-GSR 530(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

NOTIFICATION

New Delhi, the 9th July, 2022

G.S.R. 530(E).— In exercise of the powers conferred by sub-section (1) of section 84 read with sub-sections (4) and (5) of section 43M of the Arbitration and Conciliation Act, 1996 (26 of 1996), the Central Government hereby makes the following rules regulating the number of officers and employees, qualifications, appointment and other terms and conditions of services, of the Secretariat of the Council, namely:-

1. **Short title and commencement.**-(1) These rules may be called the Arbitration Council of India (Number of officers and other Employees, their qualifications, appointment and other Terms and Conditions) Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.**- (1) In these rules unless the context otherwise requires,-

(a) “Act” means the Arbitration and Conciliation Act, 1996(26 of 1996);

(b) “Schedule” means Schedule annexed to these rules; and

(c) “Selection Committee” means the Selection Committee referred to under column (12) of the Schedule.

(2) All other words and expressions used in these rules and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

3. **Number of post, classification and level in pay matrix.** - The number of posts, their classification and level in pay matrix attached thereto shall be as specified in columns (2) to (4) of the Schedule.

4. **Method of recruitment, age limit, qualifications, etc.**- The method of recruitment to the said posts, age limit, qualifications and other matters relating thereto shall be as specified in columns (5) to (13) of the Schedule.

5. **Appointment on temporary basis.**-(1) In case the Council is not able to fill up any post due to non-availability of suitable candidates or any other reason, the Council may appoint any person, who in the opinion of the Selection Committee, is possessing the qualifications prescribed for appointment to the post on contract for a period of one year which may be extended up to a maximum period of three years with the approval of the Council.

(2) The remuneration to such contractual appointee may be fixed in consultation with the Financial Advisor of the Council with reference to the pay level in the pay matrix prescribed for the post.

6- **Appointing authority.** - The Chairperson or any other officer of the Council authorised by the Council shall be the appointing authority of the officers and employees of the Council:

Provided that where an officer of the Council is authorised to be appointing officer, the Chairperson shall be the appointing officer of such officer;

Provided further that the appointing authority shall consult the Central Government before any appointment is made.

7. Procedure for direct recruitment. - (1) The procedure for making direct recruitment to a post, wherever specified in the Schedule, shall be as follows, namely:-

- (i) the Council shall invite applications for the post through an advertisement on all India basis;
- (ii) the applications shall be screened by a Screening Committee constituted by the Chairperson; and
- (iii) the Selection Committee may, if it considers appropriate, recommend a preliminary examination to be conducted through an agency having experience in the field of conducting such examination selected on the basis of an open competitive process.

(2) The recruitment shall be made by the Selection Committee.

8. Procedure for appointment on deputation. - The procedure for appointment on deputation, wherever specified in the Schedule, shall be as follows, namely:-

- (i) the Council shall invite applications for the posts through an advertisement on all India basis;
- (ii) the applications shall be screened by a Screening Committee constituted by the Chairperson; and
- (iii) interviews shall be conducted for selection by the Selection Committee:

Provided that the initial appointment to the posts on deputation basis may be made by the Central Government.

9. Period of deputation. - (1) The period of deputation, including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organisation or Department shall ordinarily not exceed three years.

(2) The period of deputation may be extended with the approval of the Central Government in accordance with the orders and instructions of the Central Government issued from time to time in this behalf:

Provided that every request for extension of the period of deputation shall be forwarded to the Central Government with prior approval of the Council.

(3) The maximum age limit for appointment on deputation shall be not exceeding fifty-six years as on the closing date of the receipt of applications.

10. Absorption of employees appointed on deputation. - (1) Notwithstanding anything in these rules, the persons appointed on deputation shall, on successful completion of the deputation term, be eligible to be considered for absorption.

(2) The absorption shall be made by the Council with the prior approval of the Central Government.

(3) The absorption shall be subject to the condition that the deputationist exercises his option for absorption and the parent Department or the cadre controlling authority shall not have objection for such absorption.

11. Disciplinary proceedings. - The disciplinary proceedings against the officers and other employees of the Council shall be as per rules and regulations applicable to officers and employees belonging to Group A, B or C posts, as the case may be, of the corresponding scales of pay of the Central Government.

12. Accommodation. - The officers and employees of the Council shall be entitled to a house rent allowance at the same rate, as are admissible to officers and employees belonging to Group A, B and C posts, as the case may be, of the Central Government holding the post in corresponding scale of pay, stationed at those places.

13. Conditions of service. - The conditions of service of the officers and other employees of the Council in the matters of pay, allowances, leave, provident fund, age of superannuation, pension and retirement benefits, medical facilities and other conditions of service shall be regulated in accordance with such rules and regulations as are for the time being applicable to officers and employees belonging to Group A, B or C posts, as the case may be, in corresponding scales of pay in the Central Government.

14. Disqualification. - No person,

- (a) who has entered into or contracted a marriage with a person having a spouse living; or
- (b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to any of the said posts:

Provided that the Central Government may, if satisfied that such marriage is permissible under personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

15. Power to relax. -Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

16. Saving. - Nothing in these rules shall affect reservation, relaxation of age-limit and other concessions required to be provided for persons belonging to the Scheduled Castes, the Scheduled Tribes, the Other Backward Classes, the ex-Servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

17. Residuary provisions. - Matters with respect to which no express provision has been made under these rules, shall be referred by the Council to the Central Government for its decision.

SCHEDULE

Name of Post.	Number of post.	Classification.	Level in the pay matrix.	Whether selection post or non-selection post.	Age limit for direct recruits.	Educational and other qualification required for direct recruits.	Whether age and educational qualification prescribed for direct recruits will apply in cases of promotees.	Period of probation, if any.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1. Director.	*1 (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 13.	Non-selection.	Not applicable.	Not applicable.	Not applicable.	Not applicable.

Method of recruitment.	In case of recruitment by promotion or deputation or absorption grade from which promotion or deputation or absorption is to be made.	Selection Committee for considering cases of promotion or deputation or absorption or contract appointments.	Circumstances in which Union Public Service Commission is to be consulted in making recruitment.
(10)	(11)	(12)	(13)
Promotion failing which by Deputation (including short-term contract).	Promotion. - Deputy Director with eight years regular service. Deputation (including short-term contract). - Officers of the Central Government or State Government or Courts or Tribunals or Autonomous bodies, - (i) holding analogous post on regular basis; or (ii) with three years regular service in Level – 12 of the pay matrix rendered after appointment thereto; or (iii) with ten years regular service in Level – 11 of the pay matrix rendered after appointment thereto.	(i) Chairperson of the Council-Chairperson. (ii) Secretary, Department of Legal Affairs or his nominee – Member. (iii) Chief Executive Officer – Member. (iv) Expert Member to be nominated by	Not applicable.

		the Chairperson of the Council- Member.	
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
2. Senior Principal Private Secretary / Principal Staff Officer.	4* (2022) * Subject to variation depending upon work load.	Not applicable.	Level -12.	Non-selection.	Not applicable.	Not applicable.	Not applicable.	Not applicable.

(10)	(11)	(12)	(13)
(i) Fifty per cent. by promotion on the basis of 'merit cum seniority' of eligible candidates, failing which on deputation (including short term contract); and (ii) fifty per cent. by deputation (including short term contract).	Promotion. - Principal Private Secretary with five years regular service. Deputation (including short-term contract). - Officers of the Central Government or State Government or Courts or Tribunals or Autonomous bodies, - (i) holding analogous post on regular basis; or (ii) with five year regular service as Principal Private Secretary in Pay Level- 11 of the pay matrix rendered after appointment thereto; or (iii) with at least eight year regular service as Private Secretary in Pay Level- 8 of the pay matrix rendered after appointment thereto. Desirable. – Degree in Law.	(i) Chairperson of the Council – Chairperson. (ii) Secretary, Department of Legal Affairs or his nominee – Member. (iii) Chief Executive Officer –Member. (iv) Expert Member to be nominated by the Chairperson of the Council – Member.	Not applicable.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
3. Deputy Director.	*2 (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 11.	Non-selection.	Not applicable.	Not applicable.	Not applicable.	Not applicable.

(10)	(11)	(12)	(13)
Promotion failing which by Deputation (including short-term contract).	Promotion. - Assistant Director with six years regular service. Deputation (including short-term contract). - Officers of the Central Government or State Government or Courts or Tribunals or Autonomous bodies, - (i) holding analogous post on regular basis; or	(i) Chairperson of the Council- Chairperson. (ii) Secretary, Department of Legal Affairs or his nominee –	Not applicable.

	(ii) with five years regular service in Level – 10 of the pay matrix rendered after appointment thereto; or (iii) with six years regular service in Level – 9 of the pay matrix rendered after appointment thereto.	Member. (iii) Chief Executive Officer –Member. (iv) Expert Member to be nominated by the Chairperson of the Council-Member.	
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
4. Principal Private Secretary.	*4 (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 11.	Non-selection.	Not applicable.	Not applicable.	Not applicable.	Not applicable.

(10)	(11)	(12)	(13)
(i) Fifty per cent. by promotion on the basis of 'merit cum seniority' of eligible candidates failing which on deputation (including short term contract); and (ii) fifty per cent. by deputation (including short term contract).	Promotion. - Private Secretary with six years regular service. Deputation (including short-term contract). - Officers of the Central Government or State Government or Courts or Tribunals or autonomous bodies, - (i) holding analogous post on regular basis; or (ii) with six year regular service as Private Secretary in Pay Level- 8 of the pay matrix rendered after appointment thereto; or (iii) with seven year regular service as Personal Assistant in Pay Level- 7 of the pay matrix rendered after appointment thereto. Desirable. – Degree in Law.	(i) Chairperson of the Council – Chairperson. (ii) Secretary, Department of Legal Affairs or his nominee – Member. (iii) Chief Executive Officer –Member. (iv) Expert Member to be nominated by the Chairperson of the Council – Member.	Not applicable.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
5. Assistant Director.	*2 (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 10.	Non-selection.	Not applicable.	Not applicable.	Not applicable.	Not applicable.

(10)	(11)	(12)	(13)
Promotion failing which by Deputation (including short-term contract).	Promotion. - Executive Assistant and Assistant Section Officers with eight years regular service. Deputation (including short-term contract). - Officers of the Central Government or State Government or Courts or Tribunals or Autonomous bodies, - (i) holding analogous post on regular basis; or	(i) Chairperson of the Council- Chairperson. (ii) Secretary, Department of Legal Affairs or his nominee – Member.	Not applicable.

	(ii) with two years regular service in Level – 8 of the pay matrix rendered after appointment thereto; or (iii) with three years regular service in Level – 7 of the pay matrix rendered after appointment thereto.	(iii) Chief Executive Officer –Member. (iv) Expert Member to be nominated by the Chairperson of the Council- Member.	
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
6. Assistant Director (Accounts).	*1 (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 10.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.

(10)	(11)	(12)	(13)
Deputation (including short-term contract).	Deputation (including short-term contract). - Officers of the Central Government or State Government or Courts or Tribunals or Autonomous bodies, - (i) holding analogous post on regular basis; or (ii) with five years regular service as Assistant Accounts Officer or Auditor in the pay Level – 8 of the pay matrix rendered after appointment thereto; or (iii) with eight years regular service as Junior Accounts Officer or Senior Accountant or Accountant in pay Level - 7 of the pay matrix rendered after appointment thereto. Desirable. - (1) Bachelors degree in commerce or accountancy from a recognised University or equivalent. (2) Having a pass certificate in subordinate accounts service or equivalent service conducted by any organised accounts Department of the Central Government or training in cash and accounts work from the Institute of Secretariat Training and Management.	(i) Chairperson of the Council-Chairperson. (ii) Secretary, Department of Legal Affairs or his nominee – Member. (iii) Chief Executive Officer – Member. (iv) Expert Member to be nominated by the Chairperson of the Council-Member.	Not applicable.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
7. Private Secretary.	*2 (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 8.	Non-selection.	Not applicable.	Not applicable.	Not applicable.	Not applicable.

(10)	(11)	(12)	(13)
(i) Fifty per cent. by promotion on the basis of 'merit cum seniority' of eligible	Promotion. - Personal Assistants with two years regular service. Deputation (including short-term contract). - Officers of the Central Government or State Government or Courts or Tribunals or Autonomous bodies, -	(i) Chairperson of the Council – Chairperson. (ii) Secretary, Department of Legal Affairs or his nominee – Member. (iii) Chief Executive	Not applicable.

candidates failing which on deputation (including short term contract); and (ii) fifty per cent. by deputation (including short term contract).	(i) holding analogous post on regular basis; or (ii) with at least two years regular service as Court Master or Stenographer Grade 'C' in Pay Level-7 of the pay matrix rendered after appointment thereto.	(iv) Officer –Member. Expert Member to be nominated by the Chairperson of the Council – Member.	
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
8. Executive Assistant / Assistant Section Officer (Information Technology)	*01 (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 7.	Not applicable.	Between 21 and 32 years. (Relaxable for Government Servants up to 40 years in accordance with instructions or orders issued by the Central Government. Note:- The crucial date for determining the age limit shall be the closing date for receipt of application.	i) Bachelors degree in Computer Science or Computer Technology or Computer Engineering or Masters' Degree in Computer Application or Computer Science from any recognised University or Institution; and (ii) three years experience in computer programming or Data processing or Networking in any reputed organisation.	Not applicable.	2 years for direct recruit.

(10)	(11)	(12)	(13)
Direct recruitment. Note:- Vacancies caused by the incumbent being away on deputation or long illness or study leave or under other circumstances for a duration of one year or more may be filled on deputation (including short term contract) basis from officers of Central Government or State Government or Courts or Tribunals or autonomous bodies, - (a) (i) holding analogous post on regular basis; or (ii) with five years regular service in Level – 6 of the pay matrix rendered after appointment thereto; and	Not applicable.	(i) Chairperson of the Council – Chairperson. (ii) Secretary, Department of Legal Affairs or his nominee – Member. (iii) Chief Executive Officer –Member. (iv) Expert Member to be nominated by the Chairperson of the Council –	Not applicable.

(b) having two years' experience in handling computer networks, information technology related works and programming.		Member.	
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
9. Executive Assistant/ Assistant Section Officer.	*5 (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 7.	Not applicable.	Between 21 and 32 years (Relaxable for Government Servants upto 40 years in accordance with instructions or orders issued by the Central Government. Note:- the crucial date for determining the age limit shall be the closing date for receipt of application.	(i) Bachelor's degree from a recognised University; (ii) Diploma or Certificate in Computer applications of at least 6 months duration from any Central Government Institute or State Government. Institute or recognised University or Board; and (iii) two years working experience (regular or contractual) in the field of administration in any Central Government or State Government. Department or autonomous body.	Not applicable.	2 years for Direct Recruit.

(10)	(11)	(12)	(13)
Direct recruitment. Note:- Vacancies caused by the incumbent being away on deputation or long illness or study leave or under other circumstances for a duration of one year or more may be filled on deputation (including short term contract) basis from officers of Central Government or State Government or Courts or Tribunals or Autonomous bodies, - (a) holding analogous post on regular basis; or (b) with five years regular service in Level – 6 of the pay matrix rendered after appointment thereto; or (c) with eight years regular service in Level – 5 of the pay matrix rendered after appointment thereto.	Not applicable.	(i) Chairperson of the Council – Chairperson. (ii) Secretary, Department of Legal Affairs or his nominee – Member. (iii) Chief Executive Officer – Member. (iv) Expert Member to be nominated by the Chairperson of the Council – Member.	Not applicable.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
10. Executive Assistant/ Assistant Section Officer (Accounts).	1* (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 7.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.

(10)	(11)	(12)	(13)
Deputation (including short term contract).	Deputation (including short term contract). - Officers of the Central Government or State Government or Courts or Tribunals or Autonomous bodies,- Essential :- (a) (i) holding analogous post on regular basis; or (ii) with five years regular service in the post in Level – 6 of the pay matrix rendered after appointment thereto; and (b) possessing a Bachelor's degree from a recognised University or Institution. Desirable. - (i) B.Com degree from a recognised University; (ii) having a pass certificate in subordinate accounts service or equivalent examination conducted by any organised accounts Department of the Central Government; (iii) having successfully completed training in cash and accounts work from the Institute of Secretariat Training and Management; and (iv) working knowledge of computers.	(i) Chairperson of the Council – Chairperson. (ii) Secretary, Department of Legal Affairs or his nominee – Member. (iii) Chief Executive Officer – Member. (iv) Expert Member to be nominated by the Chairperson of the Council – Member.	Not applicable.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
11. Personal Assistant.	*5 (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 7.	Non-selection.	Not applicable.	Not applicable.	Not applicable.	Not applicable.

(10)	(11)	(12)	(13)
(i) Fifty percent by promotion on the basis of 'merit cum seniority' of eligible candidates failing which on deputation (including short term contract); and (ii) fifty percent by deputation (including short term contract).	Promotion. –Stenographer Gr.'D' with ten years regular service. Deputation (including short-term contract). - Officers of the Central Government or State Government or Courts or Tribunals or Autonomous bodies, - (i) holding analogous post on regular basis; or (ii) with ten year regular service as Stenographer Grade 'D' in the Level – 4 of the pay matrix rendered after appointment thereto.	(i) Chairperson of the Council – Chairperson. (ii) Secretary, Department of Legal Affairs or his nominee – Member. (iii) Chief Executive Officer – Member. (iv) Expert Member to be nominated by the Chairperson of the Council – Member.	Not applicable.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
12. Stenographer Grade 'D'.	*3 (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 4.	Not applicable.	Between 21 and 32 years (Relaxable for Government Servant up to 40 years in accordance with instructions or orders issued by the Central Government). Note: The crucial date for determining the age limit shall be the closing date for receipt of application.	(i) Bachelor's degree from a recognised University. (ii) Skill test Norms: Dictation: 10min. @ 80 w.p.m.. Transcription (on computer): 50 min (Eng.); 65 min (Hindi); and (iii) Diploma or Certificate in computer applications of at least six months duration from any Central Government Institute or State Government Institute or recognised University or Board.	Not applicable.	two years for direct recruit.

(10)	(11)	(12)	(13)
<p>Direct recruitment.</p> <p>Note:- Vacancies caused by the incumbent being away on deputation or long illness or study leave or under other circumstances for a duration of one year or more may be filled on deputation (including short term contract) basis from the Officers of the Central Government or State Government or Courts or Tribunals or Autonomous bodies,—</p> <p>(a) (i) holding analogous post on regular basis; or (ii) with five year regular service in Level – 3 of the pay matrix rendered after appointment thereto; and</p> <p>(b) having a Diploma or Certificate in computer applications of at least six months duration from any Central Government Institute or State Government Institute or recognized University or Board.</p>	Not applicable.	<p>(i) Chairperson of the Council – Chairperson.</p> <p>(ii) Secretary, Department of Legal Affairs or his nominee – Member.</p> <p>(iii) Chief Executive Officer – Member.</p> <p>(iv) Expert Member to be nominated by the Chairperson of the Council – Member.</p>	Not applicable.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
13. Staff Car Driver.	*5 (2022) * Subject to variation depending upon work load.	Not applicable.	Level – 2.	Not applicable.	Between 18 and 27 years (Relaxable for Government Servant up to 40 years in accordance with instructions or orders issued by the Central Government. Note: the crucial date for determining the age limit shall be the closing date for receipt of applications.	(i) Possession of a valid driving license for light motor vehicles; (ii) knowledge of motor mechanism (The candidate should be able to remove minor defects in vehicle); (iii) experience of driving light motor vehicle for at least three years; and (iv) pass in 10th Standard from a recognised Board or Institute.	Not applicable.	2 years.

(10)	(11)	(12)	(13)
Direct recruitment.	Not applicable.	Not applicable.	Not applicable.

[F. No. 60011/152/2019-Admn.III (LA)/NDIAC]

SUNITA ANAND, Jt. Secy. and Legal Adviser

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)

ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-98

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 35 ಕೇನಿಪ್ರ 2022

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 02.12.2022.

ದಿನಾಂಕ: 31.07.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ

Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Animal Birth Control Rules, 2022ರ
Notification-GSR 656(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF FISHERIES, ANIMAL HUSBANDRY AND DAIRYING**(Department of Animal Husbandry and Dairying)****NOTIFICATION**

New Delhi, the 31st July, 2022

Animal Birth Control Rules, 2022

G.S.R. 656(E).— In exercise of the powers conferred by clause (i) of sub-sections (2) of section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), in supersession with the S.O. 1256 (E) published on 24th December, 2001 and amended vide S.O. 303(E) dated 8th February, 2011, except as respects things done or omitted to be done before such supersession, the Central Government is proposing to publish draft rules for public comments within sixty days of the publication of the draft rules in the Gazette of India.

Any person desiring to make any suggestion or objection in respect of the said draft rules may forward the same for consideration of the Central Government, within the period specified above, to the Joint Commissioner (Animal Welfare), Cabin No. 6, Chander Lok Building, Janpat, New Delhi -110001.

1. Short title and commencement : (1) These rules may be called the Animal Birth Control Rules, 2022.

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. Definition: In these rules, unless the context otherwise requires, -

- (a) "Act" means the Prevention of Cruelty to Animals Act, 1960.
- (b) "Animal Birth Control Center" means a veterinary facility with surgical infrastructure, post-operative care kennels, quarantine kennels, isolation kennels, dog transport vehicles with necessary logistics and other such facilities as prescribed by the Board, built for the purpose of carrying out the Animal Birth Control Program for street dogs.
- (c) "Animal Shelter" means place where stray or street or abandoned animals are kept for adoption or rehabilitation, general treatment while they are ill or injured.
- (d) "Animal Welfare Committee" means committee constituted under these rules for resolution of the community dog feeding;
- (e) "Animal Welfare Organisation" means any organization working for welfare of animals which is registered under the Societies Registration Act of 1860 (21 of 1860) or any corresponding law for the time being in force and which is recognized by the Animal Welfare Board of India as per the extant policy of the Board.
- (f) "Board" means the Animal Welfare Board of India, established under section 4 and as reconstituted under Section 5A of the Act;
- (g) "Certificate" means the Certificate of Project Recognition issued by the Board to any Animal Welfare Organization or Local Authority for the purpose of the Animal Birth Control Programme under these Rules.
- (h) "Committee" means a monitoring committee established under these rules
- (i) "Community Animals" means any animal born in a community for which no ownership has been claimed by any individual or an organization, excluding wild animals as defined under the wildlife Protection Act, 1972 (53 of 1972)
- (j) "Inspection Team" means team authorised by the Board or State Board under Rules.
- (k) "Local Authority" means a Municipal Committee, Municipal Council, District Administration, District Panchayats/Board, Cantonment Board or other authority for the time being invested by the law with the control and administration of any matters within a specified local area;
- (l) "Owner" means the owner of an animal and includes any other person in possession or custody of such animal whether with or without the consent of the owner;

- (m) "State Board" means the State Animal Welfare Board constituted, in a State, by the State Government.
- (n) "Society for Prevention of Cruelty to Animals (SPCA)" means a SPCA established under the Rules framed under this Act;
- (o) "Veterinary practitioner" means a veterinary practitioner registered under the provisions of the Indian Veterinary Council Act, 1984 (52 of 1984).
- (p) "Jurisdictional Veterinary Officer" Veterinary Officer of the Animal Husbandry Department deployed at the Government Veterinary Hospital of the Animal Husbandry Department of the area.
- (q) "Project In-charge" means Veterinary Officer deployed by the Local Authority for conducting the Animal Birth Control program for street dogs. Project in-charge of the Local Authority shall be a Veterinary Officer on the Regular Payroll of the Local Authority or State Government.
- (r) "Project Recognition Committee" means committee constitute by the board for the scrutiny and examination on the applications of the Project Recognition of the Animal Birth Control programme
- (s) "Animal Birth Control program" means Birth Control program carried out for animal under these Rules by a local authority or an animal welfare organisation.
- (t) "Module" means document in writing for Dog Population Management and Rabies Eradication published and updated by the Board from time to time, which shall serve as the Standard Operating Procedure for Animal Birth Control program for street dogs.

3. Project Recognition:

The local authority may conduct the Animal Birth Control program through their own veterinary officers, or if required, local authority may engage the services of an Animal Welfare Organisation which is duly recognised by the Board for Animal Birth Control and which has the requisite training, expertise and human resources, for conducting the Animal Birth Control program. Under both conditions, obtaining a Certificate Project Recognition from the Board shall be mandatory.

- (1) No local authority or organisation shall undertake, conduct or organise animal birth control program for street dogs without a Certificate of Project Recognition from the Board.
- (2) Any Animal Welfare Organization which is not disqualified from contracting under any law for the time being in force, may apply for Project Recognition by submitting their application in the Form-I appended to the First Schedule with a non-refundable fee of Rs 5,000/- (Five thousand rupees only) to the Board.
- (3) Any Animal Welfare Organisation applying for Project Recognition under these Rules must be already recognised as an Animal Welfare Organisation by the Board.
- (4) If a Local Authority is conducting the animal birth control program through its own veterinary officers, the Project In-charge of the Local Authority shall obtain Project Recognition from the Board. The application fee will be exempt if the Animal Birth Control program will be executed by Veterinary Officers of the Local Authority. All other conditions and the Module published by the Board will be applicable.
- (5) An applicant applying for Project Recognition for conducting the Animal Birth Control Programme shall be required to make separate applications for each separate Animal Birth Control Center.
- (6) Applicant seeking aProject Recognition shall submit the attested copy of the Registration Certificate issued by Veterinary Council of India/ State Veterinary Council, for each Veterinary Doctor, who will be deployed on particular project. Applicant shall submit a copy of experience certificate issued by Government Authority. The Vet/Vets proposed to be deployed by the Applicant must have total combined experience of having conducted at least 5,000 Animal Birth Control Surgeries in case of deployment in the area of a Municipal Corporation and total combined experience of having conducted at least 2,000 Animal Birth Control Surgeries in case

of deployment in the area of a Nagar Palika, Nagar Panchayat, Village Panchayats or other Rural Local Bodies.

- (7) the Board shall constitute a Project Recognition committee for recognition of the projects;
- (8) the Board shall upon receipt of the application for project recognition direct the Animal Husbandry Department of the concerned State to inspect the proposed Animal Birth Control Center and confirm the availability of requisite facilities in accordance with the Module published by the Board. The inspection must be conducted by a team comprising of:
- i) Chief Veterinary Officer of the District
 - ii) Nodal Officer of the State Animal Birth Control Monitoring Committee
 - iii) Representative of the Board or the State Board.
- (9) The inspection team must submit a report signed by all the members of the inspection team as per the inspection Performa prescribed by the Board within a period of ten days from date of inspection.
- (10) The Project Recognition Committee, after consideration of the inspection report under sub-rule (8) and on being satisfied that the Animal Birth Control Center is complying with the requirements as specified under these Rules, may recommend issuing the Certificate of Project Recognition for Animal Birth Control programme.
- (11) Based on the recommendation of the Project Recognition Committee, the Board may issue recognition certificate for the specific project under these rules which shall be non-transferable.
- (12) Project In-charge of the Local Authority or Veterinarian of the Organisation shall ensure that the Certificate of Project Recognition is prominently displayed at the Animal Birth Control Center and such certificate shall also be produced on the request of the inspection authority.

4. Refusal of recognition: The Board shall not recognise any Project operated by the Local Authority or Animal Welfare Organisation under these rules, if—

- (1) The information submitted by the Local Authority or Animal Welfare Organisation is found to be false or if the applicant has made deliberate misstatements in the application or provided falsified or fabricated records to the Board;
- (2) The Animal Welfare Organisation at any stage prior to submission of the application for recognition under these rules, has been convicted of any offence under this Act and/or Rules made thereunder, or any other State or Central Act promulgated for the protection of animals or for any offence relating to animals under any other law for the time being in force;
- (3) The Animal Welfare Organisation has refused to allow the inspection team to perform inspection in the entire premises or part of the premises, or denied access to the documents or any records as mandatory under these rules.
- (4) If the Project Recognition committee considers that the infrastructure and available manpower at the Animal Birth Control Center is not commensurate with the prescribed requirements, the Board may reject the application giving reasons in writing within a period of 30 days from the receipt of the Report from the Inspection team as in Rule 3(7) above.

5. Prohibition without recognition: No Animal Birth Control Program for street dogs shall be conducted unless the Local Authority or the Animal Welfare Organisation has obtained a certificate of Project Recognition for conducting such a program under these Rules.

Provided that any local authority or animal welfare organization referred to in the first proviso fails to apply for the certificate of Project Recognition within a period of six months or has been refused the Project Recognition for any reason specified under these rules, then the concerned local authority shall discontinue such animal birth control programme. In case any dog catching or surgeries have been conducted then the same shall be stopped immediately and all the dogs shall be treated by the Project In-charge or an animal welfare organisation, until they are fit to be released.

6. Renewal of recognition:

(1) A certificate of Project Recognition for Animal Birth Control Center issued by the Board shall be valid for a period of three years from the date of recognition and may be renewed upon receipt of an application being made to the Board under these Rules.

An application for renewal of recognition shall be made, at least sixty days prior to the expiry of the Project Recognition for Animal Birth Control program, to the Board in the Form-IV appended to the First Schedule with a non-refundable Renewal Fee of five thousand rupees to the Board. The provisions of rule 3 shall *mutatis mutandi* apply.

(2) The Board, after consideration of the inspection report submitted by inspection authority under sub-rule (3) of Rule 3 and on being satisfied that the Animal Birth Control Center is complying with the requirements as specified under these rules, may renew the Certificate of Project Recognition of the Animal Birth Control Center by issuing renewal in the format as given in Form-V appended to the First Schedule.

(3) A renewal for the Certificate of Project Recognition issued by the Board shall be valid for a period of three years, renewable upon receipt of an application and Renewal Fee by the Board under these Rules.

7. Classification of animals: Animals classified for the purpose of these rules are as under

- (a) Pet animals – dogs owned and kept indoor by individuals.
- (b) Street dogs or community owned Indian dogs or abandoned pedigree dogs which are homeless, living on the street or within a gated campus.

8. Responsibility for Vaccination and Sterilization: (1) In case of pet animals the owner of the animal shall be responsible for the deworming, immunization and sterilization.

(2) In case of street animals, the local authority shall be responsible for deworming, immunization and sterilization and may engage an Animal Welfare Organisation duly recognised by the Board to carry out the animal birth control program in accordance with these Rules.

9. Formation of Monitoring Committees and its Functions: The Monitoring Committees shall be constituted for effective implementation of Animal Birth Control Programs in accordance with these Rules to control the population of street animals, for eradication of rabies and for reducing man-animal conflict. The Monitoring Committees shall be constituted as follows:

- (1) A Central Animal Birth Control Monitoring & Coordination Committee for Dog Population Management and Rabies Eradication shall be constituted to ensure coordination between different stakeholders at the Central Government and between the Central Government and the State Governments. The constitution of the Committee and its functions shall be prescribed in Schedule-II.
- (2) A State Animal Birth Control Implementation & Monitoring Committee shall be constituted at the State /Union Territory level in all States and Union Territories. This Committee shall coordinate the implementation of the Animal Birth Control Program across the State in a scientific and phase-wise manner. The constitution of the Committee and its functions shall be prescribed in Schedule-II.
- (3) A Local Animal Birth Control Monitoring Committee shall be constituted at the Local Authority level in all States and Union Territories. The constitution of the Committee and its functions shall be prescribed in Schedule-II.

10. Obligations of the Local Authority:

- (1) The local authority shall ensure following facilities are available in each Animal Birth Control Center within their jurisdiction:
 - (a) sufficient number of kennels and veterinary hospital facilities which may be managed by local authority or animal welfare organization;
 - (b) requisite number of vans with necessary modifications for safe handling and transportation of dogs;

- (c) A mobile Operation Theatre Van equipped with surgical infrastructure to be provided as mobile center for sterilisation and immunization for smaller local bodies, where considered necessary and where kennels for post-operative care are available;
 - (d) incinerators to be installed by the local authority for disposal of organs and carcasses. Where an incinerator is not feasible, deep burial method may be adopted.
 - (e) periodic repair and maintenance of Animal Birth Control Center.
 - (f) Close Circuit Television (CCTV) to be installed in the entire premises specifically in the Operation theatre and where the animals are housed at Animal Birth Control Centre, and shall maintain the record of video surveillance for a minimum of three months or as specified from time to time by the Board or State Board. The video recordings may be made available for the inspecting authority, monitoring committee or the Board upon enquiry or request.
 - (g) cleanliness and hygiene to be maintained at all times at the Animal Birth Control Center.
 - (h) records for catching, release, medicine, surgery, feeding, vaccinations of all animals brought to the Animal Birth Control Center to be maintained.
- (2) The local authority shall reimburse the expenses of sterilization/ immunization on a regular basis, if the services of an animal welfare organisation have been engaged.
- (3) The Local Animal Birth Control Monitoring Committee shall be constituted by the Local Authority and it shall meet at least once every month to assess the progress made with regard to implementation of the Animal Birth Control Program.
- (4) The local authority shall inquire into the matter of violation of these rules on receipt of the complaint against the Animal Birth Control Center and shall terminate or suspend any engagement with such an organisation on the basis of the recommendation of the Local Animal Birth Control Monitoring Committee or the Board.

11. Capturing/sterilization/immunization/release:

- (1) Capturing of street dogs shall be conducted for the following reasons only:
- (a) **General purpose:** for which the local authority in consultation with the Monitoring Committees shall decide to control the excess population of street dogs through animal birth control program in a specific area or region.
 - (b) **Specific complaints:** for which the local authority in consultation with the Monitoring Committee shall set up an Animal Complaint Cell at the Animal Birth Control Center to receive information or complaints about dog bites from street dogs suspected to be suffering from Rabies.
- (2) The dog capturing team shall consist of:
- (i) The driver of the van
 - (ii) Two or more trained employees of the local authority or Animal Welfare Organisation who are trained in humanely capturing street dogs.
 - (iii) One representative of any of the Animal Welfare Organization nominated for the purpose.
- Each member of the capturing squad shall carry a valid identity card issued by the local authority.
- (3) Before the street dogs are captured in any locality, the representative of the local authority or of the Animal Welfare Organization shall put up banners/public notices making announcement informing residents that animals will be captured from the area for the purpose of sterilization and immunization and will be released in the same area after sterilization and immunization. The announcement may also briefly educate the residents of the area about the animal birth control programme and solicit the support of all the residents reassuring them that the local authority is taking adequate steps for their safety and the safety of the animals. Such outreach efforts shall be instituted at each Animal Birth Control Center as well.

- (4) The capturing of the animals shall be done by using humane methods such as net catching or hand catching or any other manner that is less irksome to the animal. Use of tongs or wires for catching dogs shall be strictly prohibited.
- (5) Only a stipulated number of animals, according to the housing capacity of the Animal Birth Control Center, shall be captured. Dogs from only one area shall be brought for sterilization, immunization at a given time in Animal Birth Control Center. Effort must be made to avoid bringing into contact dogs from different areas.
- (6) All the dogs caught shall be identified with a numbered collar immediately upon arrival at the Animal Birth Control Center. The number shall correspond to capture records to ensure that each dog is released, in the same area from where it was captured, after sterilization and immunisation.
- (7) Street dogs under the age of six months shall not be captured for and undergo sterilization. Female animals with puppies shall not be captured for sterilization till their litter is 2 months of age.
- (8) The captured animals shall be brought to the Animal Birth Control Center having Certificate of Project Recognition from the Board and managed by the Local Authority or Animal Welfare Organisation where they shall be examined by veterinary practitioners. Healthy animals should be separated from sick or injured animals. The sick or injured animal shall be given adequate treatment. The treated animals should be sterilized only after their recovery.
- (9) The kennels where the dogs are kept should be marked by visibly writing the name of the locality on each kennel door. The kennels for individual dogs should be at least 3 feet wide, 4 feet deep and at least 6 feet high. Kennels for 3 to 5 dogs can also be provided for, where each dog gets at least 3 feet by 4 feet floor space. The kennel should be provided with a door or gate of vertical iron bars. The gaps between adjacent bars should be no more than 2 inches. Adequate roofing is necessary to provide shade and shelter from inclement weather and also to prevent the dogs from escaping. Care should be taken while designing the kennel to ensure that there is sufficient cross ventilation of air through the kennels. The kennels should be designed to have a raised area at the rear of the kennel where the dog may lie down comfortably. There must be proper drainage system in all kennels to facilitate cleaning.
- (10) Dogs from the same family/social group may be kept one single kennel. Male and female dogs must be housed separately. The dogs shall be kept in quarantine kennels for 12 hours before surgery, without food or water.
- (11) Sterilization surgery and vaccination must be performed by a Veterinarian under the close supervision of the Jurisdictional Veterinary Officers of the Local authority in a well-equipped Operation Theatre. The approved surgical procedures and the minimum requirements shall be as prescribed by the Board in the Module.
- (12) A 'V' shaped notch shall be made on the right ear of each dog during sterilization surgery. Such clipping of the ear helps in identification of the dog as sterilized and immunized, once it is back on the street. Branding of dogs shall not be permitted.
- (13) After recovering from the surgery, the dogs shall be kept in kennels for at least four days after the sterilization for post-operative care. Adequate and healthy food twice a day and potable drinking water at all times must be provided to each dog.
- Male and female dogs should be housed separately.
- (14) The Animal Birth Control Center shall have sufficient space for proper housing and free movement of dogs. The place should have proper ventilation and natural lighting and must be kept clean.
- (15) The dogs shall be released at the same place or locality from where they were captured and the date, time and place of their release shall be recorded after their complete recovery. The representative of the local authority or of the animal welfare organization shall accompany the team at the time of release. From time to time, the Board may prescribe a suitable application for geo-tagging the location of the dogs during capture and release.
- (16) In order to carry out the Animal Birth Control surgeries safely and humanely, the Implementing Agency shall abide by the directions given by the Board regarding the Standard Operating Procedures in the Module from time to time.

12. Records to be maintained:

The Project In-charge of the Local Authority or the Animal Welfare Organisation shall maintain the following records at the Animal Birth Control Center:

- (1) Record of animals captured including the following;
 - (i) the name of the area/locality from where the dog was captured,
 - (ii) date and time of capture,
 - (iii) names of persons in the capturing squad responsible for the capture,
 - (iv) details about dogs captured –tag number of the dog, number of males, females, colour, identification marks and approximate age.
- (2) Feeding Record for each kennel and Food Inventory
- (3) Treatment Record for each dog
- (4) Medicine and Vaccine Inventory
- (5) Mortality Record
- (6) Equipment Inventory including surgical equipment etc.
- (7) Dog Van Logbooks
- (8) Staff attendance Record
- (9) Organ Inspection Record
- (10) CCTV Footage for previous 30 days (Thirty days)

13. Reports: The Project In-charge of the Local Authority or the Veterinarian in-charge of the Animal Welfare organisation conducting animal birth control program which has obtained Project Recognition under these rules shall:-

(a) submit a monthly progress report to the Local Animal Birth Control Monitoring Committee, of the number of street dogs sterilized and vaccinated with the following details in formats prescribed in Schedule III and IV:

- i) total number of street dogs caught
- ii) total number of street dogs sterilized
- iii) total number of street dogs housed for observation only
- iv) total number of dogs that died before, during or after surgery
- v) name and qualification of each veterinarian engaged with the project and the number of dogs sterilized by each veterinarian during the month.
- vi) name & registration number of each veterinarian with number of Animal Birth Control surgeries conducted by him/her in each of the preceding month
- vii) number of post-operative complications & mortality against the surgeries conducted by each veterinarian, in a form prescribed in Schedule-III

(b) submit an annual report to the Board through the State Animal Birth Control Monitoring Committee, not later than the 31st day of May every year regarding total number of animals captured, sterilized, immunized during the previous year ending on 31st March;

(c) submit, such other information as may be required by the Board or State Board, from time to time in prescribed format;

14. Power to Inspect:

- (1) The Board shall have the power to authorise an inspection team in writing to inspect any Animal Birth Control Center on receipt of a complaint or for periodical inspection:
- (2) The Inspection Team shall, have power to—

(a) enter into the premises and access to all areas within the premises and all animals, and records, to ascertain whether the requirements of these rules are being complied with;

(b) take pictures, record videos, and make copies of the records.

(3) The recognised unit under these rules shall be inspected at least once in a year.

(4) The Inspection Team shall submit their report to the Board and to the State Monitoring Committee.

(5) No prior notice may be given by the Inspection team for conducting such inspection.

15. Euthanasia of Street Dogs:

(1) Incurably ill and mortally wounded dogs as diagnosed by a team appointed by the Local Animal Birth Control Monitoring Committee shall be euthanized during specified hours in a humane manner by intravenous administration of sodium pentobarbital or any other approved humane manner, by a qualified veterinarian.

(2) The team shall consist of the Jurisdictional Veterinary Officer, the Project In-Charge and a Representative of the Board/State Board.

(3) No dog shall be euthanized in the presence of another dog. The person responsible for euthanizing shall make sure that the animal is dead, before disposal.

(4) Records for euthanasia shall be maintained with the reasons for euthanasia under the signature of the team appointed as above.

16. Resolution of Complaints regarding dog bites or rabid dogs:

The Local Authority may establish an Animal Helpline. Either the Project In-Charge or the Animal Welfare Organisation shall be responsible for recording and resolving conflict cases that may be reported.

i) On receipt of such a complaint, the details such as name of the complainant, his complete address, date and time of complaint, nature of complaint etc. shall be recorded in a register to be maintained for permanent record.

ii) The information of any dog bite shall be promptly shared with the Government Medical Hospital to recommend post bite treatment.

iii) Such animals shall be humanely captured and kept for observation at the Animal Birth Control Center. Upon the advice of the Veterinary Practitioner, a dog showing symptoms of any communicable disease shall be housed in the Isolation Kennel where food and water must be provided to the dog twice every day.

iv) Any suspected rabid dog would then be subjected to inspection by a panel of two persons i.e a veterinary surgeon appointed by the Local Authority and a representative from an Animal Welfare Organisation.

(v) If the dog is found to have a high probability of having rabies, it would be isolated till it dies a natural death. Death normally occurs within 10 days of contracting rabies. Premature killings of suspected rabid dogs, therefore, prevents the true incidence of rabies from being known and appropriate action being taken.

(vi) If the dog is found not to have rabies but some other disease or is furious in nature then it would be handed over to the Animal Welfare Organisation who will take the necessary action to cure and release the dog after 10 days of observation.

(vii) The carcasses of dogs that are suspected to have died of rabies shall be disposed of in an incinerator or adopting any other method as prescribed by the Chief Veterinary Officer of the District.

(viii) If the Animal Birth Control program is being run by an animal welfare organisation, it shall be reimbursed by the Local Authority for keeping and treating such dogs under observation at a rate determined by the Local Animal Birth Control Monitoring Committee.

(ix) The Local Authority shall display outreach material provided by the Board on prominent sites in the city, to sensitize people about street dogs.

17. Counting and disposal of Organs:

The reproductive organs removed from male and female dogs shall be stored in 10% Formaldehyde at the Animal Birth Control Center.

i) The organs shall be counted fortnightly or monthly or as often as decided by the Local Animal Birth Control Monitoring Committee, by a team comprising of the following:

- a) Chief Veterinary Officer or any Veterinary Officer authorised by him
- b) Project In-Charge Veterinary Officer
- c) Representative of the State Board/SPCA
- c) Representative of any Animal Welfare Organisation

Provided that the Animal Welfare Organisation which is conducting the Animal Birth Control program shall not be part of the Organ Inspection Team.

ii) The organs shall be preserved in separate plastic boxes marked with number of male & female genital organs and date of Surgery.

iii) The Organ Inspection Team shall count all the organs and verify the Progress Report of the Implementing Agency for the period in question.

iv) The counted organs shall be immediately destroyed in the presence of the Organ Inspection Team, by spraying of tattoo dye and deep burial or incineration. The process of dying and burying the organs shall be video recorded and photographed with the date and time stamp.

V) The State ABC Monitoring Committee shall conduct surprise inspection at least once every year in each ABC Center to ensure adherence to the rules & take necessary action in case of non-compliance.

18. Effect of Non-Compliance: (1) After considering the report(s) referred to in rule 14 if the Board is of the opinion that any provisions under these Rules are contravened or any violation of provision of the Prevention of Cruelty to Animal Act, 1960 or Rules framed thereunder has occurred, or in the event of cruelty, the Board shall issue show cause notice to the Animal Welfare Organisation or Local Authority running the Animal Birth Control Center for reply within 15 days.

(2) Pending reply from the Animal Welfare Organisation or Local Authority, the Board may suspend its recognition by communicating reason in writing.

(3) The Board, based on the inspection report and the reply to the Show Cause Notice, may take action in accordance with this Act or direct the District Magistrate or District SPCA to take appropriate action against the violators in accordance with law.

(4) The Board shall have the power to Cancel the registration of any Animal Welfare Organisation to prevent such organisation from conducting animal birth control programs for any animals if there is reason to believe that violation of these Rules is taking place.

(5) The Board shall Blacklist any Animal Welfare Organisation to prevent such organisation from conducting animal birth control programs for any animals. Provided that such Blacklist shall only be done if upon inspection authorised or conducted by the Board, it is established that the Animal Welfare Organisation is a repeat offender or if the nature of the violation is concerning heinous cruelty or corruption in any form.

(6) Any violation under these Rules shall be deemed to be an offence under the Act and the office bearers of the Animal Welfare Organisation or the Project In-Charge of the Local Authority may be charged in accordance with law.

19. Sterilization and Immunization of Domestic/Feral cats – Upon the advice of State Board, the sterilization of cats may be conducted by a Recognized Animal Welfare Organisation with training and expertise in spay/neuter of cats, in a manner prescribed in the Guidelines for Cat Sterilization and Immunization, published by the Board.

(1) The infrastructure and reimbursement of expenses for a Cat Birth Control program shall be provided by the Local Authority.

(2) While cat sterilization programs can be conducted in the Animal Birth Control Center provided for dogs, the cats must not be housed with or come in contact in any way with dogs.

(3) The post-operative care of cats must be done in a place where they do not suffer from unnecessary stress by the sounds/smells of dogs.

20. Feeding of Community Animals—(1) It shall be responsibility of the Resident Welfare Association (RWA) or Apartment Owner Association(AoA) or Local Body's representative of that area to make necessary arrangement for feeding of community animals residing in the premises or that area involving the person residing in that area or premises as the case may be, who feeds those animals or intends to feed those animals and provide care to street animals as a compassionate gesture. The RWA or AoA or the Local Body's representative shall ensure:

(1) to designate feed spots which are mutually agreed upon, keeping in mind the number of dog population and their respective territories. The feeding spots shall be far from children play areas, entry and exit points, staircase or in an areas which is likely to be least frequented by children and senior citizen.

(2) to designate feeding time depending on the movement of children, senior citizens, sports activities which is likely to be least frequented by children and senior citizen.

(3) designated feeder shall ensure that there is no littering at the feeding location or violation of guidelines framed by the RWA or AoA or that areas.

(4) designated feeders are allowed to volunteer for the vaccination, catching and release of dogs to assist with the Animal Birth Control Program

(2) Where there is any conflict between the RWA or AOA and the animal caregivers or other residents, an Animal Welfare committee comprising of the following shall be formed:

- a) Chief Veterinary Officer or his representative
- b) Representative of the Jurisdictional Police
- c) Representative of the District Society for Prevention of Cruelty to Animal or State Board
- d) Representative of any Recognized Animal Welfare Organisation conducting Animal Birth Control
- e) Veterinary Officer deputed by the local authority
- f) Complainant
- g) Representative of the RWA or AoA or Local Body of that area.

The decision of the Committee constituted under sub-rule (2) of Rule 20 shall be the final decision with regard to the fixing of the feeding point. The Committee may also nominate person(s) from amongst the designated Colony Care Taker by the Board to feed those animals in that area.

(3) Any local authority or animal welfare organisation or any feeder RWA or AoA or Local Body aggrieved by the decision of the Committee framed under sub-rule (2) of Rule 20, the appeal shall be filed to the State Board. The decision of State Board shall be the final decision for feeding of animals in that area.

21. Appeal.— (1) The animal welfare organisation aggrieved by the decision of the project Recognition Committee may, within thirty days of receipt of the decision, prefer an appeal to the Board;

(2) The Chairman of the Board on receipt of the grievance shall constitute a Committee where the members from the Board and the relevant officials shall examine the grievance. The Committee shall after giving notice and giving an opportunity of hearing to the parties, either may reject or allow the appeal, for the reasons to be recorded in writing.

(3) Any local authority or animal welfare organisation or individual aggrieved by the decision of the Board, they shall file second appeal to the Secretary Department of Animal Husbandry within 30 days of receiving communication from the Board. The decision of the Secretary Department of Animal Husbandry treated as final decision with regard to the grievance.

22. Application of rules where local bye-laws etc., exist: (1) If there is local rules, bye laws, any Act, regulation for the time being is in force by the State or the Local Authority in respect of any of the matters for which provision is made in these rules, such rule, regulation or bye-law shall to the extent to which:

- (a) it contains provisions less irksome to the animal than those contained in these rules, shall prevail;

(b) it contains provisions more irksome to the animal than those contained in these rules, be of no effect.

[F. No. R-440485/13/2022-DADF-Dept]

Dr. O.P. CHAUDHARY, Jt. Secy.

SCHEDULE-I

1. Form I

Application Form for seeking permission of Animal Birth Control Program

Part - I

1.	Organization Details							
(a)	Name of the Organization							
(b)	Address of the Organization with pin code No.							
(c)	Telephone Nos. with STD Code & Mobile No.(Whatsapp No.)							
(d)	E-mail address							
(e)	PAN No. of the Organization							
(f)	Year of Establishment							
2.	Details of Animal Shelter/ Dispensary							
	S. No.	Address of Shelter / Dispensary	No. of Sheds	Area of Shed	No. of small animals	No. of Large animals	Type (Shelter / Disp.)	
	1							
	2							
3.	Details of the Office Bearers/Governing Body/Management Committee							
	Name	Designation	Address	Telephone No. / Mobile No. (whats app)	Email address	Aadhaar No.		
4.	Registration No. with year under Societies Registration Act/Indian Trust Act, Co-operative Societies Act, etc. (Attach copy of Registration Certificate with renewal, if any, duly attested by Notary							

	Public)									
5.	Details of Registration on NITI Aayog NGO Portal—Date and Unique ID Number (Attach A photocopy)(Mandatory)									
6.	Memorandum of Association, By Law/Constitution of orgn. (Please attach copy of MOA with amendments, if any, duly Attested by Notary Public)									
7.	Details of Registration under Foreign Contribution Regulation Act- Registration No.& Date.(Please attach copy of Registration certificate)									
8.	Details of 80 G exemption under Income Tax Act, if any (Number, Date and Attachment)									
9.	Details of Source of Income (Grant Received with state Govt., Central Govt., Foreign Agencies and other Source)									
	From State Govt.									
	From Central Govt.(other than AWBI)									
	From Donations									
	From Foreign Agencies									
	From other sources									
	Total									
10(i)	Main Objective of the Organization									
10(ii)	Activities of the Organization with Percentage of expenditure incurred during the last three year	<table border="1"> <thead> <tr> <th>Activities</th><th>%of expenditure</th></tr> </thead> <tbody> <tr> <td>Sheltering of Stray Cattle/large animals</td><td></td></tr> <tr> <td>Sheltering of stray Dogs and other small animals</td><td></td></tr> <tr> <td>Animal birth Control programme</td><td></td></tr> </tbody> </table>	Activities	%of expenditure	Sheltering of Stray Cattle/large animals		Sheltering of stray Dogs and other small animals		Animal birth Control programme	
Activities	%of expenditure									
Sheltering of Stray Cattle/large animals										
Sheltering of stray Dogs and other small animals										
Animal birth Control programme										

		Dispensary/Treatment	
		Ambulance services /Mobile Animal Clinic	
		Rescue/ Rehabilitation of animals	
		Awareness / Training for animal welfare	
		Legal Cases booked against cruelty to animals	
10(iii)	Other activities as per aims and objectives		
S. No.	Activities	% of expenditure	
1			
2			
11.	Details of Number of Animals Sheltered/Treated/Rescued during the year		
(i)	Number of animals rescued during the year		
(ii)	Number of animals treated by the Organization in the preceding one year Note: (As verified from animal treatment register maintained by the Organization)		
	In their in-house dispensary/hospital	Sick and injured animal on the spot	In medical camps
			By Mobile Clinics
			Total
(iii)	General health condition of the animal sheltered (Attach related document)		
(iv)	Animal Verification Certificate by jurisdictional Vety. Officer (Attach photo copy of certificate)		
12.	Details of Dispensary/Medical facilities available		
	Address of Dispensary /Medical facility	OT (Available/Not Available)	Medical Equipment
			Details to be attached
13.	Whether Ambulance/Tractor Trolley is available, if yes		
	S.No.	Model of Vehicle	Date of Purchase
		Kms.	Cost of Purchase
		Purpose of use	Log Book
	1		
	2		

14.	Whether the Organization is involved in any litigation? If yes, details there of including latest position and how it has affected the working of the organization					
15.	Details of Staff in the Organization/Shelter					
Name of the staff	Age	Aadhar No.	Salary	Education	Designation	Type (FullTime/PartTime)
16.	Number of court cases filed under PCA Act during the last year					
17.	Number of FIR filed under PCA Act during last year					
18.	Periodicity of Management Committee Meetings (Attach copies of Resolution adopted towards Animal Welfare Activities of last 1 year)					
19.	Copy of the Activity Report / Annual Report of the last three year, if any					
20.	Copy of Annual Audited Accounts including Balance sheet and Income & Expenditure statement, if any					
21.	Details of Bank Account in the name of the Organization					
	Name of the Bank	Branch Address	IFSC Code	Account No.	Name of the Account Holder	

Part – II

22.	Details of the ANIMAL BIRTH CONTROL Center(s)		
	Name of the Center	Address of the Center	
23.	Proposed total number of animals to be sterilized or targeted and immunized in the current year		
(i)	Male Dogs	Female Dogs	Total
(ii)	Total expenditure to be incurred for the purpose		
24.			
	S.No.	Amount	Received from

	Details of Grant-in-aid/ reimbursement grant received from any other Agency/Govt./Dept., if any for the same purpose			
25.	Details of ANIMAL BIRTH CONTROL Operations carried out in the last 5 years (year-wise details)			
	S.No.	Male Dogs	Female Dogs	Total
26.	Details of infrastructure / facilities available with the organization to implement the proposed scheme			
(a)	Whether you have a Dispensary with operation theatre?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
(b)	No. of auto claves available			
(c)	Whether Storage Room for medicines and equipment available?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
(d)	Method of catching of dogs			
(e)	Whether you have your own dog catchers, if not, then Name of Agency that will be catching and releasing the dogs			
(f)	No. of Trained Animal handlers			
(g)	Monthly capacity for carrying out ANIMAL BIRTH CONTROL programme			
(h)	No. of Kennels and details of the measurements/facilities			
	No. of Kennels			
	Area			
(i)	Details of operation Theatre and other infrastructure			
	(A) Pre-operation preparation area		<input type="checkbox"/> Available <input type="checkbox"/> Not Available	
	(B) Air-conditioning in OT		<input type="checkbox"/> Available <input type="checkbox"/> Not Available	
	(C) Method of identifying the sterilized dogs (e.g. Ear Notching)			
	(D) Drain age System		<input type="checkbox"/> Available <input type="checkbox"/> Not Available	
	(E) Room/Area for cleaning and sterilizing instruments		<input type="checkbox"/> Available <input type="checkbox"/> Not Available	
	(F) No. of sets of surgical instruments available			
	(G) No. of basic instruments			
	Cautery Machine			
	O.T Table			
	Stretchers			
	Autoclave			

	Refrigerator	
27.	Whether entered into MoU with Municipality/Municipal Corporation/AWO? (if Yes, Copy Of MoU to be enclosed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
28.	Whether dog population survey conducted in your area during the year If yes, attach report	<input type="checkbox"/> Yes <input type="checkbox"/> No
29.	Details of the other collaborating AWOs in this project?	
	S.No.	Name& Address of the AWO
30.	Details of Monitoring Committee	
	S.No.	Name& Address of the committee members
31.	Additional information, if any	

DECLARATION

I solemnly affirm and declare that the above information and documents provided by me are true and correct to the best of my knowledge and belief and no facts have been concealed in the form.

Signature & Seal (Authorized signatory)

For and on behalf of the Governing Body of the Organization

Name:

Designation:

Note:

Documents are in Regional language, translate the same in Hindi or English at the time of submission.

3. Form II

Certificate of Project Recognition

4. Form IV

Renewal of Project Recognition as per Part – II of Form - I

5. Form V

Renewal of Project Recognition Certificate

Schedule-II**Constitution of Monitoring Committees****1. Central Monitoring & coordinating Committee:**

The Central Monitoring & Coordinating Committee shall be constituted with the following members:

- a) Secretary of the Administrative Ministry administering the Prevention of Cruelty to Animals Act, 1960, shall be the Chairperson of the Central Coordination Committee.
- b) Animal Husbandry Commissioner of Department of Animal Husbandry Dairying and Fisheries, Ministry of Fisheries, Animal Husbandry and Dairying
- c) Joint Secretary or Equivalent Officer from Urban Development Ministry, Government of India
- d) Joint Secretary or Equivalent officer from Ministry of Panchayati Raj Department, Government of India
- e) Chairperson, Animal Welfare Board of India
- f) Chairperson, Veterinary Council of India
- g) Joint Secretary, Ministry of Health and Family Welfare
- h) Two Representatives of prominent State Animal Welfare Boards actively engaged in animal birth control coordination in the State
- i) An officer at the level of Joint Secretary of the Administrative Ministry administering the Prevention of Cruelty to Animals Act, 1960, shall be the Member Secretary of the Central Monitoring & Coordination Committee.

Functions of the Central Monitoring & coordinating Committee:

The Central Monitoring & Coordination Committee shall have the following functions:

- i) To monitor proper implementation of the Animal Birth Control Rules.
- ii) To promote the Animal Birth Control Programme and arrange budgetary provision for the animal birth control in the states.
- iii) To facilitate inter- ministerial coordination and also resolve the issues related to Animal Birth Control.
- iv) Matter related to policy intervention required for Animal Birth Control Programme.
- v) Any other matter related to Animal Birth Control programme.
- (vi) may hear complaints in regard to the cancellation of recognition of Animal welfare organisation and pass necessary direction or order to the Board as the case may be.
- vii) Keep a watch on the national and international development in the field of research pertaining to street dogs' control and management, development of vaccines and cost effective methods of sterilization, vaccination, etc.

Meeting of the Committee: The Central Monitoring and Coordination Committee shall meet once in six months or as and when necessary.

2. State Implementation & Monitoring Committee:

States intent to carry out the Animal Birth Control Programme shall constitute the State Implementation & Monitoring Committee. The constitution of the Committee is as under:

- a) Secretary in-charge of the Urban Development Department or equivalent in the State or Union Territory shall be the Chairperson of the State Monitoring & Implementation Committee.
- b) Director, Health and Family Welfare Department
- c) Director, Department of Panchayati Raj
- d) Director, Urban Development Department (or equivalent)
- e) Two Representative of the Animal Welfare Board of India
- f) Two Representative of State Animal Welfare Board
- g) Administrative heads of at least 2 municipal corporations, and representatives of at least 2 panchayats, and at least 2 municipal councils in that state or union territory

h) Officer In-Charge of the State Animal Welfare Board shall be the Member Secretary as well as the nodal officer for implementing the program in each state and union territory.

Note: No representative of the Board or State Board should be directly involved in the Animal Birth Control Programme as Implementing Agency in that jurisdiction.

Functions of the State Monitoring and Implementation Committee:

The State Monitoring and Implementation Committees shall be responsible to carry out the following functions:

- (i). The setting up of Animal Birth Control Monitoring Committees at the local authority levels as required by the Animal Birth Control Rules.
- (ii). Developing a comprehensive district wise plan (including but not limited to infrastructure, budget, etc. for dog population management in urban and rural areas throughout the state.)
- (iii). Enlisting Animal Birth Control Implementing Agencies possessing of the requisite training and experience, recognized by the Animal Welfare Board of India to carry out the Animal Birth Control Programme as per the District and State Plan. This may include the animal husbandry department of the State working in consultation with and the under the technical guidance of the AWBI.
- (iv). Ensuring that the requisite infrastructure is set up, and other capital costs (including but not limited to fully furnished Animal Birth Control facilities/campuses with ambulances and equipment), and all other expenses for successfully running an animal birth control program, including manpower costs, are made available to the Animal Birth Control Implementing Agencies from the local authorities, and reimbursed in a timely manner as required by Rule 6 of the Animal Birth Control Rules.
- (v). Responsible for overall monitoring of the Animal Birth Control Programme in the State by the Local Authorities.
- (vi). The State Monitoring Committee shall also carry out inspection on receipt of any complaints regarding the Animal Birth Control and Cruelty to Animals during the Birth Control Program and violation of Animal Birth Control Rules and take appropriate action.

Meeting of the Committee: The Committee shall meet once in every three months or as and when necessary.

3. Constitution of Local Animal Birth Control Monitoring Committee

No Animal Birth Control Programme shall be carried without constitution of the Local Animal Birth Control Monitoring Committee. The establishment of Animal Birth Control Monitoring Committee at the local level in accordance with Animal Birth Control Rules is indispensable for the success of the Animal Birth Control program. The Committee shall be constituted with the following members:

- (a) Municipal Commissioner or Executive Officer of the local authority, who shall be the ex-officio Chairman of the Committee.
- (b) A representative of the Public Health Department of the District.
- (c) A representative of the Animal Husbandry Department of the nearby Block or District.
- (d) A jurisdictional veterinary doctor
- (e) A representative of the district Society for Prevention of Cruelty to Animals (SPCA)

Functions of the Committee

The committee shall be responsible for planning and management of dog control programme in accordance with these rules. The committee may:

- (a) Issue instructions for catching, transportation, sheltering, sterilisation, vaccination, treatment and release of sterilized vaccinated or treated dogs.
- (b) authorize veterinary doctor to decide on case to case basis the need to put to sleep critically ill or fatally injured or rabid dogs in a painless method by using sodium pentathol. Any other method is strictly prohibited. To be decided through a sub-committee comprising of two veterinary officers and a representative of a recognized animal welfare organization. The sub-committee shall specify reasons in writing for euthanasia of each animal.
- (c) creating public awareness and solicit co-operation and funding.

- (d) providing guidelines to pet dog owners and commercial breeders from time to time.
- (e) take such steps for the purpose of monitoring the dog bite cases and to ascertain the reasons of dog bite, the area where it took place and whether it was from a stray or a pet dog. For the purpose details may be collected from Human Hospital in a requisite format.
- f) Arrive at an estimate of the number of dogs within its territorial limits by conducting a census in the manner advised by the AWBI.
- g) Ensure development of the infrastructure required to execute the Animal Birth Control program for the estimated number of dogs. In order to do this, detailed project reports shall have to be prepared and submitted to the State Monitoring and Implementation Committee in coordination with the state government.
- h) The infrastructure shall be designed in such a manner to carry out area-wise animal birth control in a phased manner of at least 70% dogs in the targeted area before a new area is taken up. The infrastructure shall include, but not be limited to pre-operation preparation areas, Operation Theatres, post-op care, kennels, kitchen, store rooms for rations and medicines, parking area, residential rooms for veterinarians and attendants, quarantine wards, ambulances, etc.

Schedule-III

Progress Report of Animal Birth Control program

Date :

Dispatch No. :

Month / Year :

Name of PIA* :

Name of Local Body :

Address of ABC Center :

S. No.	Name of Veterinary Practitioner - Doctor	Qualification	Registration No.	Registering Authority	No. of Surgeries Conducted in preceding month	No. of Post Operative Complications	Mortality in the preceding month
1.							
2.							
3.							
4.							
GRAND TOTAL FOR THE MONTH							

Date & Signature of Project In-charge Vet of PIA* :

Date & Signature of MVO/ JVO**

Date & Signature of DVO**

Name of MVO/ JVO

Name of DVO

Stamp of MVO/ JVO

Stamp of DVO

* PIA : Project Implementing Agency

** MVO : Municipal Veterinary Officer deployed by Local Body.

** JVO : Jurisdictional Veterinary Officer deployed at Govt. Veterinary Hospital of the area.

** DVO : District Veterinary Officer of Animal Husbandry Deptt./ Ex-officio Member Secretary of the District SPCA of the concerned district..

Monthly Progress Report of ABC-ARV Project

Date :

Dispatch No. :

Month / Year :

Name of PIA* :

Name of Local Body :

Address of ABC Center :

Date	No. of Male Dogs	No. of Female Dogs	Total No. of Dogs Covered	No. of Dogs under Observation	Mortality	Verification by MVO/ JVO	Verification by DVO
1st Date of the Month.							
2nd Date of the Month.							
Continued till...							
Last Date of the Month							
GRAND TOTAL							

Date & Signature of Project In-charge Vet of PIA* :

Date & Signature of MVO/ JVO**

Date & Signature of DVO**

Name of MVO/ JVO

Name of DVO

Stamp of MVO/ JVO

Stamp of DVO

* PIA : Project Implementing Agency

** MVO : Municipal Veterinary Officer deployed by Local Body.

** JVO : Jurisdictional Veterinary Officer deployed at Govt. Veterinary Hospital of the area.

** DVO : District Veterinary Officer of Animal Husbandry Deptt./ Ex-officio Member Secretary of the District SPCA of the concerned district.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)

ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-99

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 36 ಕೇನಿಪ್ರ 2022

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 02.12.2022.

ದಿನಾಂಕ: 31.07.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ
Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Named Flours Grading and Marking
Rules, 2022ರ Notification-GSR 824(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF AGRICULTURE AND FARMERS WELFARE
(Department of Agriculture and Farmers Welfare)

NOTIFICATION

New Delhi, the 17th November, 2022

G.S.R. 824(E).—The following draft of the Named Flours Grading and Marking Rules, 2022 which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) is hereby published as required by the said section for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules shall be taken into consideration after the expiry of a period of forty-five days from the date on which the copies of the Gazette of India containing this notification are made available to the public.

Objections or suggestions which may be received from any person with respect to the said draft rules before the expiry of the above said period shall be taken into consideration by the Central Government.

Objections or suggestions, if any, in respect of the said draft rules may be forwarded to the Agricultural Marketing Adviser to the Government of India, Directorate of Marketing and Inspection, Head Office, CGO Complex, NH - IV, Faridabad (Haryana) 121001.

DRAFT RULES

1. Short title, application and commencement. - (1) These rules may be called the Named Flours Grading and Marking Rules, 2022.
(2) They shall apply to the following commodities intended for direct human consumption:
 - i). Whole maize flour
 - ii). Rice flour
 - iii). Barley flour
 - iv). Urad flour
 - v). Water chestnut or Singhara flour
 - vi). Full fat soya flour
 - vii). Ragi flour
(3) They shall come into force on the date of their final publication in the Official Gazette.
2. Definitions. -(1) In these rules, unless the context otherwise requires-
 - (a) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;
 - (b) "authorised packer" means a person or a body of persons who has been granted a certificate of authorization to grade and mark the named Flours in accordance with the grade standards and procedure provided under these rules and the General Grading and Marking Rules, 1988;
 - (c) "Certificate of Authorisation" means a certificate issued under the provisions of the General Grading and Marking Rules, 1988 authorising a person or a body of persons to grade and mark the named Flours with the Grade Designation Mark;
 - (d) "General Grading and Marking Rules" means the General Grading and Marking Rules, 1988 made under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937);
 - (e) "Grade Designation Mark" means "AGMARK Insignia" referred to in rule 3;
 - (f) "Legal Metrology (Packaged Commodities) Rules" means the Legal Metrology (Packaged Commodities) Amendment Rules, 2022, made under the Legal Metrology Act, 2009 (1 of 2010); and
 - (g) "Schedule" means a Schedule appended to these rules.

(2) The words and expressions used in these rules and not defined but defined in the Agricultural Produce (Grading and Marking) Act, 1937 or the General Grading and Marking Rules, 1988, shall have the same meaning as are assigned to them under the said Act or the Rules.

3. Grade Designation Mark. - The Grade Designation Mark shall consist of the design of "AGMARK Insignia" as set out in Schedule-I, incorporating the certificate of authorisation number, the word "AGMARK", the name of commodity and its grade.
4. Grade designations. - The grade designations to indicate the quality of named Flours including the criteria for grade designation shall be as set out in Schedules-II to VIII.
5. Quality. -For the purpose of these rules, the quality of named Flours shall be as provided in Schedules-II to VIII.
6. Method of packing. -(1)Named Flours shall be packed in suitable packaging material in accordance with the provisions of the Food Safety and Standards (Packaging) Regulations, 2018, the Food Safety and Standards (Labeling and Display) Regulations, 2020 and Legal Metrology (Packaged Commodities) Amendment Rules, 2022.
- (2) The graded material of small pack sizes of the same lot or batch and grade may be packed in a master container with complete details thereon along with the Grade Designation Mark.
- (3) Each package shall contain named Flours of the same type and of the same grade designation.
- (4) Each package shall be properly and securely closed and sealed so as to disallow spilling.
7. Method of Marking.- (1) The Grade Designation Mark shall be securely affixed to or printed on each package in the manner approved by the Agricultural Marketing Adviser or an officer authorised by him under rule 11 of the General Grading and Marking Rules, 1988.
- (2) In addition to the Grade Designation Mark, following particulars shall be clearly and indelibly marked on each package, namely-
 - (a) name of the commodity;
 - (b) grade;
 - (c) variety or trade name(optional);
 - (d) lot/batch number;
 - (e) date of packing;
 - (f) crop year (optional);
 - (g) net weight;
 - (h) name and address of the authorised packer;
 - (i) maximum retail price (inclusive of all taxes);
 - (j) BEST BEFORE _____ MONTH _____ YEAR; and
 - (k) any other particulars as provided under the Legal Metrology (Packaged Commodities) Amendment Rules, 2022 or specified under the Food Safety and Standards (Packaging) Regulations, 2018 and the Food Safety and Standards (Labeling and Display) Regulations, 2020 or any notification issued under any other law for the time being in force or any instructions issued under the provisions of the Act, provided that right quality of ink is used for marking on packages.
- (3) The authorised packer may after obtaining prior approval of the Agricultural Marketing Adviser or an officer authorised by him under rule 11 of the General Grading and Marking Rules, 1988, mark his private trade mark or trade brand on the graded packages provided the same do not indicate quality other than that indicated by the Grade Designation Mark affixed to the graded packages in accordance with these rules.
8. Special conditions of Certificate of Authorisation.-(1) In addition to the conditions specified in sub-rule (8) of rule 3 of the General Grading and Marking Rules,1988, every authorised packer shall comply the conditions specified under these rules.
 - (2) The authorised packer shall either set up his own laboratory as per norms issued under rule 8 of the General Grading and Marking Rules, 1988, or have access to an approved State Grading Laboratory or cooperative or association laboratory or a private commercial laboratory manned by a qualified chemist approved by the Agricultural Marketing Adviser or the officer authorised by him under rule 9 of the General Grading and Marking Rules, 1988, for testing the quality of the named Flours.
 - (3) The premises of the authorised packer shall be maintained in hygienic and sanitary conditions with proper ventilations and well lighted arrangement and the personnel engaged in these operations shall be in sound health and free from any infectious, contagious or communicable diseases.

- (4) The premises of the authorised packer shall have adequate storage facilities with pucca floor and free from dampness, any kind of cracks and crevices, rodent and insect infestation.
- (5) The authorised packer and the approved chemist shall observe all instructions regarding testing, grading, packing, marking, sealing and maintenance of records which may be issued by the Agricultural Marketing Adviser or an officer authorised by him in this behalf in accordance with the General Grading and Marking Rules, 1988 from time to time.

SCHEDULE-I
(See rule 3)
(Design of AGMARK Insignia)



Name of the Commodity-----

Grade-----

SCHEDULE-II
(See rules 4 and 5)

Grade designation and quality of Whole maize flour

1. Whole maize flour is prepared from fully mature, sound, clean, un-germinated, whole kernels of maize, *Zea mays* L., by a grinding process in which the entire grain is comminuted to a suitable degree of fineness.
2. Minimum requirements:
 - (i) Whole maize flour shall –
 - (a) be in the form of powder having a characteristic color, taste and flavor of the variety of maize;
 - (b) be free from extraneous matter such as stones, dirt, clay etc.;
 - (c) be free from any foreign taste, odour and evidence of fermentation;
 - (d) be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;
3. Criteria for grade designation of Whole maize flour:

TABLE 1

Grade designation	Limit of tolerance (% by weight, maximum)					Limit of tolerance (% by weight, minimum)		
	Moisture	Total ash content, (odb)*	Ash insoluble in dilute HCl (odb)*	Crude Fibre (odb)*	Alcoholic acidity (as H ₂ SO ₄) with 90% alcohol	Total Protein (N×6.25) (odb)*	Fat (odb)*	Sieve test passing through 500 micron sieve
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Special	8.0	1.25	0.05	1.6	0.10	8.0	3.5	98
Standard	11.0	1.75	0.20	2.0	0.20		3.1	98
General	12.0	2.25	0.30	2.8	0.30		3.1	94

*odb: On dry basis; H₂SO₄: Sulphuric acid; HCl: Hydrochloric acid

SCHEDULE-III
(See rules 4 and 5)

Grade designation and quality of Rice flour

1. Rice flour is the powder obtained from grinding milled rice of the variety *Oryza sativa* L.
2. Minimum requirements:
 - (i) Rice flour shall –
 - (a) have color, taste and flavor characteristic of the milled rice;
 - (b) be free from extraneous matter such as stones, dirt, clay etc.;
 - (c) be free from any abnormal flavor, rancid or other objectionable taste and musty or other undesirable odour;
 - (d) be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;

3. Criteria for grade designation of Rice flour:

Table 2

Grade designation	Limit of tolerance (% by weight, maximum)					Limit of tolerance (% by weight, minimum)		
	Moisture	Total ash content, (odb)*	Ash insoluble in dilute HCl (odb)*	Crude Fibre, (odb)*	Alcoholic acidity (as H ₂ SO ₄) with 90% alcohol (odb)*	Total Protein (N×6.25) (odb)*	Fat (odb)*	Sieve test passing through 500 micron sieve
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Special	9.0	0.6	0.05	0.4	0.10	8.0	0.75	99
Standard	11.0	0.8	0.10	1.0	0.15	6.0	0.50	
General	12.0	1.8	0.40	1.8	0.20	5.0	0.50	

*odb: On dry basis; H₂SO₄:Sulphuric acid; HCl: Hydrochloric acid

SCHEDULE-IV
(See rules 4 and 5)

Grade designation and quality of Barley flour

1. Wholemeal barley powder or barley flour is the product obtained by grinding clean and sound dehusked barley (*Hordeum vulgare* or *Hordeum distichon*) grains.
2. Minimum requirements:
 - (i) Barley flour shall –
 - (a) be uniform in color and characteristic to the variety from which obtained;
 - (b) be free from extraneous matter such as stones, dirt, clay etc.;
 - (c) be free from fermented, musty or other objectionable taste and odor;
 - (d) be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;

3. Criteria for grade designation of Barley flour:

Table 3

Grade designation	Limit of tolerance (% by weight, maximum)					Limit of tolerance (% by weight, minimum)		
	Moisture	Total ash content, (odb)*	Ash insoluble in dilute HCL (odb)*	Crude Fibre (odb)*	Alcoholic acidity (as H ₂ SO ₄) with 90% alcohol	Total Protein (N×6.25) (odb)*	Fat (odb)*	Sieve test passing through 500 micron sieve
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Special	9.0	1.5	0.10	2.0	0.10	8.5	1.5	98
Standard	11.0	2.0	0.30	3.0	0.15	7.0	1.0	96
General	13.0	2.5	0.50	5.0	0.17	6.0	0.5	94

*odb: On dry basis; H₂SO₄: Sulphuric acid; HCl: Hydrochloric acid

SCHEDULE-V
(See rules 4 and 5)

Grade designation and quality of Urad flour

1. Black gram/urad flour is the product obtained by grinding clean and sound dehusked black gram (*Vigna mungo L.*) grains.
2. Minimum requirements:
 - (i) Urad flour shall –
 - (a) be uniform in color and characteristic to the variety from which obtained;
 - (b) be free from extraneous matter such as stones, dirt, clay etc.;
 - (c) be free from fermented, musty or other objectionable taste and odor;
 - (d) be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;
3. Criteria for grade designation of Urad flour:

Table 4

Grade designation	Limit of tolerance (% by weight, maximum)					Limit of tolerance (% by weight, minimum)		
	Moisture	Total ash content, (odb)*	Ash insoluble in dilute HCl (odb)*	Crude Fibre, (odb)*	Alcoholic acidity (as H ₂ SO ₄) with 90% alcohol	Total Protein (N×6.25) (odb)*	Fat (odb)*	Sieve test passing through 500 micron sieve
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Special	9.5	3.50	0.12	1.00	0.20	24.0	2.00	100
Standard	10.5	3.75	0.20	2.00	0.20	22.0	1.50	98
General	11.0	4.00	0.30	2.50	0.30	20.0	1.50	98

*odb: On dry basis; H₂SO₄: Sulphuric acid; HCl: Hydrochloric acid

SCHEDULE-VI
(See rules 4 and 5)

Grade designation and quality of Singhara flour

1. Water Chestnut /Singhara flour is the product obtained by grinding clean, sound and dried nuts of *Trapa bispinosa* or *Trapa quadrispinosa* species commonly known as Singhara.
2. Minimum requirements:
 - (i) Singhara flour shall –
 - (a) be uniform in color and characteristic to the variety from which obtained;
 - (b) be free from extraneous matter such as stones, dirt, clay etc.;
 - (c) be free from rancid and objectionable taste and odor;
 - (d) be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;
 - (e) be free from any added color and flavor;

3. Criteria for grade designation of Singhara flour:

Table 5

Grade designation	Limit of tolerance (% by weight, maximum)					Limit of tolerance (% by weight, minimum)			Uric acid content (mg/kg)
	Moisture	Total ash content, (odb)*	Ash insoluble in dilute HCl (odb)*	Crude Fibre (odb)*	Alcoholic acidity (as H ₂ SO ₄) with 90% alcohol	Total Protein (N×6.25) (odb)*	Fat (odb)*	Sieve test passing through 500 micron sieve	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Special	10.0	2.2	0.10	1.50	0.10	9.0	1.00	99.0	50.0
Standard	12.0	2.6	0.50	3.00	0.15		0.50	97.0	
General	12.0	3.0	0.50	3.75	0.18		0.25	96.0	

*odb: On dry basis; H₂SO₄: Sulphuric acid; HCl: Hydrochloric acid

SCHEDULE-VII
(See rules 4 and 5)

Grade designation and quality of Full fat Soya flour

1. Edible full fat soya flour is the product obtained from clean, sound soya beans by a process of cracking and dehulling followed by either cooking, drying and grinding or by extrusion cooking and grinding.
2. Minimum requirements:
 - (i) Full fat soya flour shall –
 - (a) be in the form of coarse or fine powder or grits;
 - (b) be uniform in color and characteristic to the variety from which obtained;
 - (c) be free from extraneous matter such as stones, dirt, clay etc.;
 - (d) be free from fermented musty or other objectionable taste and odor;

- (e) be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;

- (f) be free from any added color and flavor

3. Criteria for grade designation of full fat soya flour:

Table 6

Grade designation	Limit of tolerance (% by weight, maximum)				Limit of tolerance (% by weight, minimum)			Acid value of extracted fat (as oleic acid) (max.)	Trypsin inhibitor activity (% of the original)(max.)	Urease activity (change in pH unit)
	Moisture	Total ash content, (odb)*	Ash insoluble in dilute HCl (odb)*	Crude Fibre (odb)*	Total Protein (N×6.25) (odb)*	Fat (odb)*	Sieve test passing through 500 micron sieve			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Special	8.0	5.0	0.20	5.0	45.0	22.0	100	2.0	75	Nil
Standard	9.0	6.0	0.35		41.0	16.5	95.0	3.0		
General	9.0	7.2	0.35		39.0	16.5	85.0	5.0		

*odb: On dry basis;

HCl: Hydrochloric acid

SCHEDULE-VIII

(See rules 4 and 5)

Grade designation and quality of Ragi flour

- Ragi flour is the product obtained from dried mature grains of *Eleusine coracana* (L.) Gaertner through a process of milling.
- Minimum requirements:
 - Ragi flour shall –
 - be uniform in color and characteristic to the variety from which obtained;
 - be free from extraneous matter such as sand, stones, dirt, clay etc.;
 - be free from fermented musty or other objectionable taste and odor;
 - be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;
 - be free from any added color and flavor
- Criteria for grade designation of Ragi flour:

Table 7

Grade designation	Limit of tolerance (maximum) (% by wt.)					Limit of tolerance (% by weight, minimum)				Uric acid content (mg/kg) (max.)
	Moisture	Total ash content (odb)*	Ash insoluble in dilute HCl (odb)*	Crude Fibre (odb)*	Alcoholic acidity (as H ₂ SO ₄) with 90% alcohol (odb)*	Total Protein (N×6.25) (odb)*	Fat (odb)*	Calcium as CaO (odb)*	Sieve test passing through 500 micron sieve	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Special	10.0	2.40	0.10	2.0	0.20	8.5	3.0	0.35	99.0	50.0
Standard	10.0	2.50	0.15	3.0	0.30	7.5	2.0	0.25	99.0	
General	10.0	2.60	0.15	4.0	0.40	7.0	1.5	0.20	98.0	

*odb: On dry basis; H₂SO₄: Sulphuric acid; HCl: Hydrochloric acid, CaO: Calcium oxide

4. Other requirements:

- (1) For domestic trade, it shall comply with the restrictions in regard to residual levels of metal contaminants, pesticides residues, microbial requirements, crop contaminants, naturally occurring toxic substances and other food safety requirements as specified under the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011, the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011 and other regulations made for domestic trade under the Food Safety and Standards Act, 2006 (34 of 2006).
- (2) For export trade, it shall comply with the residual limits of heavy metals, pesticides and other food safety requirements as laid down by the Codex Alimentarius Commission or importing countries requirement for exports.
- (3) (i) The condition of the named Flours shall be so as to enable it to -
 - (a) withstand transport and handling; and
 - (b) arrive in satisfactory condition at the place of destination.
 (ii) Named Flours shall be stored in a cool and dry place and properly maintained in a clean and hygienic condition.

[F. No.Q-11047/08/Flour/2022-Std.]

Dr. N. VIJAYA LAKSHMI, Jt. Secy. (Marketing)

ಭಾಗ ೪

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಬುಧವಾರ, ೦೭, ಡಿಸೆಂಬರ್, ೨೦೨೨

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)

ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

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